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**Political corruption and development  
in Nigeria : a socio-economic analysis**

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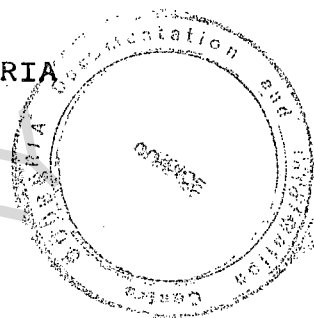
POLITICAL CORRUPTION AND DEVELOPMENT IN NIGERIA  
A SOCIO-ECONOMIC ANALYSIS

BY

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A PROJECT REPORT SUBMITTED TO THE SUB-DEPARTMENT  
OF PUBLIC ADMINISTRATION AND LOCAL GOVERNMENT  
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POLITICAL CORRUPTION AND DEVELOPMENT IN NIGERIA:  
A SOCIO-ECONOMIC ANALYSIS


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CERTIFICATION

Ugwu, Cletus Okonkwo, Reg. No. PG/MPA/91/12845, a postgraduate student in the Sub-Department of Public Administration and Local Government, has satisfactorily completed the requirements for the research work for the degree of Master of Public Administration.

The work embodied in the PROJECT REPORT is, to the best of my knowledge, original and has not been submitted in part or full for any other diploma or degree of this or any other University.

  
Dr. C.E. Emezi  
Co-ordinator

  
Dr. N.N. Elekwa  
Supervisor

Dedication

This work is dedicated to that  
POOR NIGERIAN whose hardship  
was necessitated by the misuse  
of State Power

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ACKNOWLEDGEMENTS

With due respect, I hereby express my profound gratitude to my supervisor Dr. N.N. Elekwa who took over from Dr. C. Ebo after the later's retirement in 1994. Their intellectual criticisms and guidance throughout the duration of the research work is worth noting.

E. Onyeneje, I. Anigbo, J. Ezema, N.T. Imo and all the staff of the Africana Section, Nnamdi Azikiwe library, University of Nigeria and the National Archives, Enugu deserve special thanks for all the disturbances they tolerated to see that the work was completed. There were others who helped me in one way or the other, but whose names I cannot mention here. I say thanks to all of them.

Of special mention is the Council for the Development of Social Science Research in Africa (CODESRIA) Dakar - Senegal whose "1992 Small Grants Program for Thesis Writing" helped me to finance this research study. I am very grateful to the organization.

Finally, I appreciate the expertise of Mr. Obinna Ugwu who neatly typed the manuscript into this readable stage.

However, I wish to state that I shall bear the burden of blames in case of any error found in this work.

Ugwu, Cletus Okonkwo.

ABSTRACT

This research study investigated the 'acclaimed' stewardship of political office holder during the Second Republic of Nigeria (1979 - 1983), with a view to answering questions such as "were they corrupt"?, if yes, "what are its effects on Nigeria's socio-economic development"?. The scope is 1979 - 1983 while the case study is Anambra State. We saw it appropriate to adopt political economy approach in our theoretical framework for this research study.

In the state, three arms of government existed: The Executive, the Legislature and the Judiciary. Awote Panel Report (1984), Madu Committee Report (1984), Nigeria Police Force Documentation (1967 - 1986), Government white Paper (1984) Newspaper Report; Oral Interview, etc., formed the sources of information.

The data gathered were represented in tables and figures and were computed in percentages.

The analysis of the study shows the official reported cases of corruption or misuse of state power by the public officers. Prominent among them were the external aids, the over-priced government contracts and the mode of award. Consequently, state power was extensively used as a tool for private accumulation of wealth by the governing class.

The results are ineffectiveness, instability, sectional cleavages, dependence on foreign capital and expertise/technology. All amounts to the under-development of Nigeria's domestic economy. Secondly, the study found out that the Nigeria's foreign reserve which stood at ₦13.7 bn in 1979 dropped sharply to a debt of ₦20 bn in 1982 despite the fact that the same study found out that the Second Republic government earned more revenue from oil than any other government since 1958. It also explained the political behaviour of Nigeria governing class and serve as a store-house of data on political corruption.

In general, the study was done in six chapters. The first introduced the work. Chapter two reviewed the past work on the related problem. Chapter three looked at the governmental institutions of the state; while chapter four discussed the institutions. Chapter five is on the autonomy and political corruption and in summarizing and conclusion, chapter six was brought in.



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## CHAPTER ONE

### 1.1

### INTRODUCTION

Modernization and Development occupies the central position in any rational National Development Plan of a given nation.

The above reason has always placed the task on the political executives and bureaucrats whose part responsibilities include among others, to formulate and implement the machinery for National Development. They achieve this through the instrumentality and control of state power.

However, on a close examination of the expected roles of Nigerian politicians and bureaucrats, doubt always engulf the minds of curious citizens, scholars and students of development on the strict implementation of the desired principles. It is said that 'power corrupts, absolute power corrupts absolutely'. The bureaucrats though playing the leadership role in nation building misuse the state power bestowed on them. Thus, events revealed that some 'modernizers' who were once hailed as flag-bearers turn round to exploit the very people whose political, economic and social development they claim to pursue. This, they do through corrupt practices. Corruption among public officers may be regarded as political and socio-economic rape that destroy and decay efforts for development. Secondly, corruption also serves as a catalyst

and a bed-rock to several criminal and civil offences.

In Nigeria, several juristic and anti-corrupt fountain ink have been used in an attempt to curb the social malaise, yet the effect is being minimally or not at all noticed in our society. Therefore, the present institutional controlling machinery in force to curb corrupt practices in our society is doubtful for its effectiveness.

It is therefore misleading and utopian to think of a corrupt free society in the contemporary or future Nigeria.

One recent off-spring of the drive towards industrialization and the oil boom in post war Nigeria, is the increasing materialistic desire of Nigerians. This is not unexpected of a country that has misplaced its social values. Corruption is in a sense a product of the way of life of an acquisitive society, where 'money talks; where that which works is justified and where people are judged by what they have rather than what they are'. Abel Ubeku stated that Nigeria must be one of the very few countries in the world where a man's sources of wealth is of no concern to his neighbours, the public or the government. Once a man is able to dole out money, the churches pray for him, he collects chieftaincy title and hobnobs with those who govern. In contemporary Nigeria, therefore, material failure and moral excellence are mocked while ostentatious living is extolled.

Thus, bribery and corruption by the highly placed Nigerian

public servants who are supposed to be men of probity as mentioned earlier reached an alarming and intolerable proportion especially during the Second Republic in Nigeria.

Political corruption becomes endemic in Nigeria and it is being observed both in private and public life. It has contributed to the political instability and a major obstacle to economic development. In the words of Abba, that "all the political and socio-economic problems facing Nigeria should be blamed on corrupt practices of the ruling class".

Historically, right from the first 1966 Military Coup of Major Chukwuma Nzogwu till the present General Sani Abacha's military regime (1993), corruption has been the purported key reasons for the several coup plotters. The funny thing is that it has been clearly evidenced that the military regimes are as well corrupt as the civilian administrators they ousted. Mr. Churchill Abba in Newbreed 1989 blames all the socio-political and economic problems facing Nigeria on corruption. He says he was disappointed on the prospects of eradicating the malaise "once the military became severally implicated in corrupt practice". "Where lies the salvation?, he queried". "The civilians are corrupt, so are the military elites, thus, we have no hope of redemption", he tries to answer himself.<sup>1</sup> Re-enforcing the above observation, Shehu Musa asserted that "the venomous canker-worm (corruption), has recurringly

bedeviled all our regimes from independence to date. Probably, the unbridled corruption in Nigeria attracted the attention of the eminent scholars like Buchi and Umesi (1986) who stated that in Nigeria, corruption has been accepted as a way of life and has assumed an alarming dimension, a situation that should concern all well meaning Nigerians.<sup>2</sup> They postulated that every economic measures introduced in this country offer Nigerians a "brand new club of super rich officials". He went further to add that in all economic development plan, virtually all was greeted with large scale corruption. Thus, Babangida (1992) supported the above assertion when he said that the Nigerian economy has defied all logic.<sup>3</sup> Thus in Nigeria, there have been daily accounts and stories in the various Nigerian press and in official inquiries about corruption in public affairs. Although higher official corruption may not be worse in Nigeria than in many other countries yet it is pertinent to examine the extent to which public officers use or misuse their official positions to corruptly enrich themselves and to examine the effectiveness of the existing institutional devices aimed at curbing such corrupt behaviour.

In a broader sense, Bayley (1986) sees corruption in developing countries as featuring predominantly and forming

a permanent and unavoidable feature of bureaucratic life.<sup>4</sup>

Political corruption can therefore be defined as the misuse of state power for private-regarding interests. Friederick (1966) associated political corruption with a particular motivation, namely, that of private gain at public expense.<sup>5</sup> Thus, a minister or any political office holder whose loyalty shifts from that of his country to his home and who blantly and shamelessly uses the government's wealth for his private advantage violates his oath of office.

A concrete definition has always been difficult by eminent scholars because of the subjectiveness of the interpretation given to actions or omissions as being of personal rather than public interest. Some substantial arguments have been advanced against the use of "public interest" as a criterion in the definition of corruption. This is to say that what may be referred to as just "honest graft" by one person or in another country may be regarded as a heinous offence by another person or by other countries.

This study therefore intend to look for the political corruption and its implication on the social and economic development of Nigeria.



## 1.2

STATEMENT OF THE PROBLEM

This study sought to investigate the cases of the present socio-economic problem in the society through corrupt practices. In doing this, the research sought answers to such questions as:

- (a) Is corruption an indispensable aspect of the capitalistic economic system;
- (b) What is the relationship between political corruption and socio-economic development of the developing nations, and
- (c) Does the ineffectiveness of legal system to control corruption in Nigeria result from the alien nature of the system.

## 1.3

OBJECTIVES OF THE STUDY

This study offers indepth insight and undertaking of the nature, scope and effects of corruption in relation to political and socio-economic development of Nigeria.

## 1.4

SIGNIFICANCE OF THE PROBLEM

The study of corruption has become imperative because it is a central problem of human society. In view of the role of administrators in implementing government policies for human development; more especially now that the political, social and economic problems of Nigerian citizens are so enormous, research into this area seems most invaluable.

## 1.5

SCOPE OF THE STUDY

The scope of the study covers the extent of political corruption in the less developing countries, such as Nigeria. However, focus was on Nigerian's Second Republic Civilian Regime (1979 - 1983) reported cases of corrupt practices. Also inferences were made to other countries.

## 1.6

THEORETICAL FRAMEWORK

Our focus on the abuse of state power in itself is on the political behaviour of people who occupy a particular stratum in society - the governing class. Thus, we shall adopt the political economy approach in the study of political behaviour of the ruling class. The choice is that the structure of the socio-economic forces extensively influences human behaviour in any society. In this respect, Cohen (1981) asserted that the holders of power in Africa are, to a large

extent, part of the ruling class itself.<sup>6</sup> They come not from the peasantry or the proleteriate, but from a petty bourgeoisie of above average wealth, owners of capital or the servants of capital. He noted that these petty bourgeoisies appropriate that which is produced by the proleteriate. He therefore concludes that 'classes are in conflicts because they have different and opposed interests ....'

Cohen further pointed out that economic activities in several African countries are highly influenced by the international bourgeoisie which consists of those who share in the appropriation of surplus value through their ownership and control of international capital. As a result of the enormous influence which the international bourgeoisie wield on the technologically and economically weak African states in several instances, production is geared to the needs of international capital through international markets for the exports and imports that are the key elements in African economies. It is through the investment decisions of international capital, which constitute the motor of economic growth in dependent economies and through the provision of technology and managerial skills by international

capitalist institution that they achieve their goal. The emergent dominant class in the capitalist oriented African societies are, therefore, subjected to marginal roles in the major domestic economic activities. In this way, they are compelled to play compradorial role in the economic system. The dominant class which emerged 'has been able to flourish only through a close attachment to the state, which it requires not only to exercise its global function in the class struggle, but also to establish its own control over the means of production. Thus, class approach will help us to identify the class that exercised state power in the period under investigation and the factors that influenced their political behaviour. It will also help us to have a good grasp of the reasons for, and nature of the conflicting interests between the dominant class and the masses.

The character of the Nigerian governing class and the factors that generate political corruption in society will be briefly highlighted. These highlights shall underline the appropriateness of our theoretical framework for our investigation.

The colonial state had no interest in the development of the productive sector in the colonies. It relied on the pre-capitalist technique of production and property relations

to ensure the supply of primary materials to the metropole.

Multinational corporations played decisive roles in the colonies. For example, at the early stage of colonial control of the territory now known as Nigeria, the Royal Niger Company controlled the Oil Rivers (Niger-Coast) protectorate and the Nigeria territories. The colonial agents did not make any pretence in respect of the role they wanted the colonial state to serve. Ake (1981) has aptly described this role as 'a tool of capital'.<sup>7</sup> The petty bourgeoisie spearheaded the Nationalist Movement and inherited power at the time of decolonialization. This gave political independence without a corresponding economic independence. Consequently, Iyayi (1986) observed that 'the question increasingly faced by the indigenous capitalist class after independence has been how to convert the right it had won to govern to the power to govern. This forces them to two alternatives open to them.

- (a) the development of the productive sector, or
- (b) the use of state power to accumulate private wealth.

Williams in Cohen asserted that advanced capitalist countries appear to be exploiting this situation by accentuating the dependency structure through the activities of their multinational corporations which dominate the major economic sectors in many developing countries. As a result of the

under-development of the productive sector and the consequent dependence of the productive sector and expatriate economies, 'politics and the favour of foreign companies, itself a product of political influence, became the primary sources of capital accumulation by Nigerians'.

Thus, by underpinning our theoretical conception of this thesis on the socio-economic formations of the post colonial state of Nigeria and the character of the emergence dominant class, we shall be able to grapple effectively with the phenomenon we are exploring. While conceiving political corruption as a mode of property accumulation, logically, underpinned in the nature of the socio-economic formations of society, we have to recognize as earlier stated that political corruption tends to differ in nature and degree from country to country. It differs between the advanced and under-developed countries; between the capitalist and socialist countries, etc. There is therefore the need to identify the specific factors in society which tends to be responsible for the differences in the nature and degree of political corruption in different countries. However, while reflecting on these factors, we shall like to underline at this juncture that the character of the factors to be identified are themselves dependent on the nature of the socio-economic formations of society.

1.7 FACTORS WHICH INFLUENCES THE DEVELOPMENT AND NATURE  
OF STATE POWER

- (a) Economic System - Capitalist/Socialist
- (b) Efficacy of the existing institutional checks against the abuse of state power.

There is no uniformity in the stages of socio-economic formations of society. For example, the political economy of the developing countries may be the same, but because of certain societal factors (including religion, ethnic groups, value system, economic resources, etc.), the balance of forces and institution in the societies differ. Thus, even though Zaire for example share identical political economy with Nigeria, the balance of societal forces is different. Hence, there tends to be more political corruption in Zaire than in Nigeria. In other words, although the political economy of the two countries is the same, that is capitalist, the nature of state power in the two countries differ as a result of the differences in the balance of forces.

The basic point being made here is that the more developed the state power, the more corruption, depending on the prevailing political economy. In the context of the capitalist political economy, the more developed the state power, the more political corruption. Since the capitalist system encourages private accumulation of wealth, without limits, the more state power is enlarged, the more those who exercise state power would be tempted to use state power to satisfy their private economic interest.

On the contrary, the socialist system presents a different experience. In this respect, the more state power, the less political corruption, because unlike in the capitalist system, it presents a different experience. In this respect, the more state power, the less political corruption because unlike in the capitalist system, the mode of production and pattern of resource distribution are in favour of the generality of the people.

On the basis of the above analysis, we contend that the economic system prevalent in a society and the efficacy of the institutional checks against the abuse of state power, explain the nature of state power and hence, the incidence of political corruption. This tends to suggest explicitly that the socio-economic formation of Nigeria is the bedrock of the endemic political corruption consistently experienced in the country. More specifically, the phenomenon would appear to be sustained and exacerbated by the character of the governing class of the role of state power as instrument of property accumulation.



## 1.8

METHODOLOGY

1. The result of the Awote Panel - a tribunal set up by President Mohammed Buhari/Tunde Idiagbon Military Regime (1994) on the recovery of public fund and property and miscellenous offences (Eastern Zone).
2. Visits to National Archieves, Lagos and Enugu
3. Oral Interview (Personal Interview).
4. The Nnamdi Azikiwe Library and other related publications were consulted.

## 1.9

DATA GATHERING

Although political corruption is held to be rampant in Nigeria, concrete evidence tends to be tenuous. Many reports on the phenomenon are either not preserved in the public libraries and archieves, or 'classified'.

In the first case, some of the people implicated in the reports of investigation into their activities as public officers in Nigeria would appear to have left no stone unturned in their bid to ensure that the reports were not preserved for public consumption and reference. This view was expressed by a staff of the Nigerian National Archieves who preferred to be anonymous. It is also plausible that some of the reports have not been sent to the public libraries and archieves by the governments that instituted the investigations either out of carelessness, or with the intension of shielding their friends and/or relatives from public censure.

On the other hand, reports that are 'classified' implies that they are kept away from the public by legal sanction. The practice of classifying documents on the basis of which people were convicted raises a fundamental question: why should the 'how' and 'why', someone convicted be made secret by the government. This would appear to suggest that government is not convinced that justice was not perverted somewhere in the course of the trial or probe that led to the conviction of the people concerned. The 'classification' of report of investigations is one of the major reasons responsible for the dearth of concrete data, which invariably poses problem to researchers on political corruption. In this respect, Scott(1972) opined that 'one is forced to infer what lies below the surface from an analysis of the exposed tip of the icebag and from the general characteristics of the political system'.<sup>9</sup> He observed that 'for less developed nations over the past two decades, the data base is more tenuous. Consequently, he suggested that in countries with parliamentary system, we can examine with appropriate caution - press accounts, campaign charges, court proceedings, and the reports of a number of official commissions of inquiry or tribunal in addition to scholarly assessment. These sources would appear to be the major sources of data on political corruption in Nigeria.

The data gathered for this study include figures representing various amounts of government money siphoned into private hands by the governing class.

The report of Awote tribunal and other publications will be critically interpreted/analysed of the implications to the socio-economic life of the rest of the society by the use of cost-benefit method.

The deductions from those to be interviewed were used to rationalise the Awote panel reports and the data collected. Tables and summary statistics were used in our presentation of data.

## 1.10

RESEARCH HYPOTHESES

Based on our literature review and the theoretical framework, three hypotheses emerged which touched on the institutions of government the society as a whole and the state. In this light, we hypothesize as follows:

1. Political corruption is indispensable in a country practising capitalistic economic system.
2. The existing crusade against corruption in Nigeria can only be successful if and only if the policy-makers live by example.
3. Political corruption in Nigeria is the major obstacles to her rapid development.

In the light of the above hypotheses, we pose the following research questions.

- (a) Is capitalist economic system a lee-way to political corruption?
- (b) What are the implications of political corruption in Nigeria's development?

CHAPTER I

<sup>1</sup>A. Churchill in Idoko (1989) "29 Years of Unbridled Corruption" Newbreed, July 29, 1981.

<sup>2</sup>O. Buchi, et. al. "Absurd Situation" Times International Magazine, October 1986.

<sup>3</sup>I.B. Babanginda, "I'm In Control", The African Guardian, June, 1972, p. 23.

<sup>4</sup>D.B. Bayley, "Effects of Corruption in a Developing Countries" The Western Political Quarterly, December 1966, Vol. 19 pp. 719-732.

<sup>5</sup>C.J. Friederick, "Political Psychology" The Political Quarterly, January/March 1966, Vol. 37, p. 74.

<sup>6</sup>D.L. Cohen, 'Class and the Analysis of African Politics: Problems & Prospects in D.L. Cohen and J. Daniel (Eds). Political Economy of Africa: Selected Readings. Longon: Longman, 1981, p. 93.

<sup>7</sup>C. Ake, A Political Economy of Africa, Nigeria: Longman, 1981, p. 128.

<sup>8</sup>F. Iyayi, 'The Primitive Accumulation of Capital in a Neo-Colony: The Nigerian Case'. Review of African Political Economy, 35, 1986, p. 33.

<sup>9</sup>J.S. Scott, Comparative Political Corruption: New Jersey: Prentice Hall, 1972, p. 12.

CHAPTER II

## 2.1

LITERATURE REVIEWTHE CONCEPT

The concept of corruption as defined by Webster (1961) Third New International Dictionary of Current English means "improper consideration as bribery to comit a violation of duty".<sup>1</sup> A bribe is defined as a price, rewards, gift or favour bestowed or promised with a view to pervert the judgement or corrupt the conduct especially of a person in a position of trust as a public official. Bribery and corruption are inherently linked together, they are not inseperable. A person bribed is a person corrupt, but a man may be corrupt who does not take bribe.

Corruption in the contents of this study would therefore include the application of dishonesty, nepotism, misappropriation, bribery (give or take) fraud, embezzement, 'I.M.', '419', etc., in the performance of official duty. In both cases, there is, as Webster defines the term "an inducement by means of improper consideration". These suggest that corruption may generally cover the misuse of authority as a result of consideration of personal gain which need not necessarily be monetary. According to Payne (1975) "Corruption exists whenever there are men yearning for an unfair advantage over their fellow men or at public expense."<sup>2</sup> Similarly,

Omotunde (1975) in his study stated that "corruption in public offices is the diversion of government revenues and national income flow into private official's accounts or into those they have a clientele relationship in order to augment the monthly income of the officials."<sup>3</sup> Corruption may also result by influencing public officers to divert or allocate government materials or services to any individual, group, community, etc, contrary to the proper rules guiding such a public policy.

Accordingly, Dobel (1978) stated that "in contemporary usage, corruption means the betrayal of public trust for individual or group gain".<sup>4</sup> This definition assigns to public servants the power to choose between two or more courses of action and the possession by the government of some power or wealth or sources of wealth which the public official can take or use to his private advantage. This access to power and wealth therefore re-inforces the existence of inequality between the officials and the public; and induces the officials to sacrifice their basic civic loyalty to that of the family, ethnic or state extensions.

In his own study, Friedrich (1963) reflecting on the incidence of corruption sees it as "endemic in all government offices".<sup>5</sup>

But in Africa, because of the present poor political and socio-economic conditions in the continent, Wraith and Simpkins (1967) asserts that "behaviours which easily pass for corruption

are more likely to be experienced in developing countries."<sup>6</sup>

Ben-Dor (1974) and Obasi, (1988) emphasized on "both the unavoidable character of corruption at certain stages of development and the contributions of the practice to the process of modernization and development".<sup>7,8</sup>

They argue that corruption is inevitable in developing countries; because it is part and parcel of their social norms, values and practices. Bayley (1966) stated that "the man who in many non-western countries is corrupt ... is not condemned at all by his own society";<sup>9</sup> rather he may be conforming to a pattern of behaviour his peers, family and friends strongly support and applaud .... Similarly, Scott (1972) noted that "the first obligation of man in traditional society is to his close kin and then to his lineage, clan or ethnic group".<sup>10</sup> Thus, when the brother of a personnel official asks his relative for a clerical post or when a cousin of a transport official asks for a taxi license, the strength of kinship bonds makes it difficult to refuse. A refusal would be seen as a betrayal of family loyalty. Apter (1963) has it that "nepotism is considered a grave offence in western bureaucratic practice, yet in African practice, providing jobs for the members of one's own family is socially compulsory".<sup>11</sup> Peil (1976) in her studies on Nigerian politics equally argued that "various forms of corruption fit into the norms of the society so that although



they attract formal approbrium, they may be considered quite acceptable by members of the public."<sup>12</sup>

However, in studies by Akinpeolu (1983); Nwala (1980); Eteng (1980) have proved that "traditional societies did not encourage individualistic and materialistic tendencies"<sup>13, 14, 15.</sup>

For instance, describing the social and economic character of African society, Akinpeolu (1983) noted that "... in the true African traditional culture, in the tug between the individual and the society ... it was the society or group that had the pre-eminence and the superior claim." The social interest of the individual was attuned to that of his community, there was none of the present pre-occupation with individual or personal wealth, comfort, security and affluence ....<sup>16</sup>

Scott (1972) further stated "that no state whether new or old is free from corruption."<sup>17</sup>

One striking aspect of corruption is its global spread despite its global condemnation. It refers to a phenomenon that has survived from one historical epoch to another in different forms. It predates as far back as Biblical Peter who in his 2 Peter 1: 3-4 asserts that in "making one's calling and election sure, that it is the man's evil desires that courses him to comit corruptive practices".<sup>18</sup> Bryce (1967) describes corruption "as a major American flaw and noted its outbreak in virulent form in the new states of America."<sup>19</sup>

Wraight and Simpkins (1963) have expressed similar view with regard to African countries.<sup>20</sup> Analysts traced the manifestation of corruption in public life in Nigeria to the 1950's when the first panel of enquiry headed by Justice Strafford Forster-Sutton was set up to look into the ACB-Nnamdi Azikiwe affair. Thus, corruption in Nigeria is as old as history of the country.

However, Okoye (1979) broadened the concept by asserting that two types of corruption exists in the society: "parochial" and "market" types.<sup>21</sup> He further expantiated that parochial corruption dominates where kinship or parochial ties determine access to the favours of the community leader in his actions; and that market corruption is accorded to those who can 'pay the highest price of goods and services regardless of whom they are. He contends that market corruption encourages people to struggle for spoils of power and that the more people acquire wealth through the abuse of state power the more they would feel the urge to continue in the practice. Payne (1975) in his study supported these findings that "when corruption settles on people, it readily degenerates to absolute one."<sup>22</sup>

Scott (1972) examining the origin of corruption found out that corruption was a continuation of traditional gift exchange ... that it was only the imposition of western forms

that has transformed the traditional gift exchange into corruption.<sup>23</sup> The above assertion according to Audu Bako in his reaction to public criticism says that what we call corruption here in Nigeria are tips in the developed nations. Carino (1974) supported this finding by maintaining that corruption is consistent with the tradition and culture of the people.<sup>24</sup> He further says that it is the western laws that made it to be illegal and actually superimposed it.

If corruption is consistent with the tradition and culture of the people, then corruption should be seen as a way of life of the Nigerians. As a capitalistic oriented society, the quest to accumulate capital is the *sine-que-non* for survival. Nye (1967) upholding the aforementioned view, stated that "corruption is in a sense a product of the new way of life of an acquisitive society, where 'money talks', where that which works is justified, and where people are judged by what they have rather than what they are".<sup>25</sup> He contended that as far back as 1964, a political party lamented that 'money and material wealth has since become the supreme value in our society and the goal of all social action. This has given rise to corruption, selfishness, malingering and a general lack of patriotism and social irresponsibility'.<sup>26</sup> A legal adviser to a political party in 1965 retorted that "when it suits our purpose we quote conventions surrounding the British parliamentary system;

when it again suits our purpose, we close our eyes to certain practices, all in the Nigerian way of life. Our journalists must make up their minds which system they are going to uphold in Nigeria. The British parliamentary convention or the Nigerian way of life as it exists today, where every body regards it fair to make money ....

Nick Idoko (1989) quoting Abel Ubeku said that "corruption is one of the commonest economic crimes in Nigeria which has taken such root that seems to have been accepted as a way of life."<sup>28</sup> In a decent society, he reflects, 'corrupt persons are avoided because of the corrupt acts which brought them the sudden and mysterious wealth; but in Nigeria, they are glorified. The chief laments: "Nigeria must be one of the very few countries in the world where a man's source of wealth is of no concern to his neighbours, the public or the government. Once a man is able to dole out money, the churches pray for him, he collects chieftaincy titles and hobnobs with those who governs". But one time secretary to the Federal Government of Nigeria Alhaji Shehu Musa exasperatingly lamented that 'some people think that in this country (Nigeria) corruption is institutionalised and it is not only that officials are corrupt, but corruption is official'.

Attempt has been made to explore the causes of political corruption with particular focus on the developing nations.

These causes, however have opposing views as explained by two schools of thought, thus:

1. The persisting pre-colonial values and the modern or contemporary demands, and
2. The contentions that the socio-economic structure of the developing countries owe a lot to the present state of corrupt society.

Smith (1973) stated that the modernization school represents a broad spectrum of scholars who contend that political corruption is mainly a product of a particular stage in the modernization continuum.<sup>29</sup> Modernization therefore denotes a process of social change from traditional to modernity. On the basis of the stance of the modernization school, scholars like Huntington, while acknowledging that corruption exists in all societies, associates it mainly with the modernising societies, that is, the developing societies. According to Huntington, (1969) corruption in a modernising society is thus in part not so much the result of the deviance of behaviour from accepted norms as it is the deviance of norms from the established behaviour.<sup>30</sup> On this basis, Scott remarked that "accounts of corruption that focus on values contend that 'much of what is considered corruption is in fact a continuation of traditional gift giving practices ....<sup>31</sup> Only the imposition of western

forms had transformed traditional gift exchange into corruption. Adegbite (1978) argued that this normative argument is problematic. For example, how can one on the basis of traditional gift-giving system explain the rampant use of state power to extort 10% of the value of a contract from a contractor awarded contract by the government?<sup>32</sup>

The fact still remains that gift giving in the spirit of the traditional norm was voluntary, not defined, and no art of sophistry and rationalization can convincingly equate the contemporary practice of extorting 10% of the value of a contract from people and the traditional practice of giving gifts to people in appreciation for a favour. The stance of the modernization school raises some fundamental questions. For example, at what point of the modernization of the polity would corruption stop, increase or decrease. However, can we explain the incidence of corruption in countries like America and the Soviet Union, despite the level of their development. It would appear that the writers of the modernization school have not actually grappled with the factors responsible for political corruption, phenomenon which appears to be more sophisticated even in some of the advanced countries of the world.

The second approach as found in literature is that based on the socio-economic formations of the society. Proponents

of this view include Samir Amin, Claude Ake and Festus Iyayi. They argued that the character of society depends on its socio-economic formations. In this light, political corruption would not be seen resulting from the stage of development of a society in the modernization continuum. This school of thought appears to be more realistic than the former in the sense that its approach is pragmatic, and as such susceptible of empirical investigation. But focusing on the socio-economic formations of society as basis for examining the phenomenon being investigated in this work, researchers are compelled to explore the nature, and balance of socio-economic forces in society which influence the political behaviour of the governing class. Thus, this mode of interpretation of social phenomenon would appear to be useful across countries, no matter the level of development. Scholars have also differed on their interpretation of the effects of political corruption. Notably, some western writers have misinterpreted the attitude of Africans to cases of corruption. McMullan (1961) has erroneously asserted that West African countries show little sense of indignation about often fantastic stories of corruption by leaders.<sup>33</sup> Bala Usman (1983) asserted that "this is neither true of the traditional nor of the contemporary West African countries."<sup>34</sup>

It has been reported in mid-fifteenth century that Oba of Benin, the Oba Olua, faced a strong public opposition within his kingdom because he was accused of using public treasury to buy popularity for himself.<sup>35</sup> Similarly, Bala Usman (1983) remarked about Sarkin Katsina Yusuf (C.1565) whom he stated that "he destroyed a lion but was driven out because of what the poor people said: 'that Yusuf took their poultry'."<sup>36</sup>

Two schools of thought need to be mentioned because of their conflicting views on the effects of corruption. One saw it as non-beneficial while the other contends that it is sometimes beneficial and sometimes non-beneficial with either of the consequences outweighing the other. Scholars like J.S. Nye and Onigu Otite have effectively used this stance in their analysis of corruption.

Nye has extensively made use of the cost-benefit approach in his analysis of the effects of political corruption. He contended that corruption can be beneficial to political development by contributing to the solution to three major problems involved: economic development, national integration and governmental capacity. He suggested that three major ways in which some kinds of corruption could promote economic development are: capital formation, cutting red-tape and entrepreneurship/incentives.

#### 1. Capital Formation

Nye says that corruption could be an important sources



of capital formation in a situation in which private capital is scarce and government lacks the capacity to tax surplus out of peasants or workers openly. Also, Iheonu (1994) stated that "in capitalist political economy, capital is a very important factor of production".<sup>37</sup>

Indeed, in a developing capitalist country like Nigeria where capital is a limiting factor and a large amount of capital is required for investment/development purpose, the only lee-way available for a potential indigent political entrepreneur is for him/her to loot the treasury to satisfy his immediate and remote needs. Supporting the above discussion, Nye argues that Trujillo accumulated \$500m and Nkurumah/Relatives \$10m from the corrupt practices. The question was whether such money will be invested locally for economic development or will it be stocked away in the Swiss Banks. In Nigeria, Murtala Mohamed (1976) observed that capital accumulated through political corruption was not invested to expand private capital or deposited in domestic accounts.<sup>38</sup> Buhari (1984) in his finding says that millions of naira invested in Nigeria's political parties in 1976 and 1983 have created more opportunities for self-enrichment.<sup>39</sup> In February 1985, he reported further that Nigerian politicians siphoned away an estimated staggering sum of over £6 billion to British banks alone. This figure does not

include the sums of money salted away by Nigerian politicians in other Western European and American banks nor the direct investments in the economies of these countries during the period.

Iyayi, (1986) and Lieuwen, (1967) observed that between 1954 to 1959 three Latin American leaders - Person, Jimenez, and Batista siphoned a total of \$1.15 million out of their countries.<sup>40, 41</sup> It would be doubtful in Nigeria that such money accumulated would be used for the 'promotion of economic development'. Even if it would be used for business venture, it may be for private capital. Some people argue that some would benefit by being employed. But even if such is done, the salary to be paid will not be commensurate to the in-put of the workers. In respect of capital flight, Ziegler (1978) has succinctly asserted that "dirty" money passes through Switzerland to be re-invested abroad where it helps to finance the expansion of the multinational companies whose parent companies are in Switzerland.<sup>42</sup> The consequences of not investing capital at home is evidenced around the major urban centres such as Latin America, Asia and Africa. Around these places, one usually see a destitute mass and an army of unemployed men and beggars, etc., hurdled around the edges of the residential areas beneath the sky-crappers of the propertised class. This, is the true picture in Nigeria today.

## 2. Cutting Through Red-Tape

This is another point of promoting economic development. Waterbury (1973) argued that corruption, to an extent, can promote flexibility in intra-administrative procedure, by oiling the wheels of government machinery.<sup>43</sup>

Similarly, Ward contended that too much checking on corruption can delay or cripple development.<sup>44</sup> He said that trying to run a development economy with triple checking is impossible. Flexibility means that the administrator will relax the red-tape when they are bribed to implement some government policies by interest group. However, for one to accept the above dictum, one has to address his/her mind to the following validating questions:

- (a) Who are the forces striving for the relaxation of red-tapism.
- (b) What are their motives
- (c) What are the consequences of their relaxation, etc.

However, from Nigerian experience, there is no doubt that red-tapism is often relaxed in favour of the dominant class when their interests are at stake.

## 3. Entrepreneurs and Incentives

Nye (1967) built his contention on the argument that "if Schupenter is correct that the entrepreneur is a vital factor in economic growth and if there is ideological bias against private incentive in a country, then corruption may provide one of the major ways by which a developing nation

make use of this factor.<sup>45</sup>

The controvertibility of the entrepreneur as a vital factor for economic growth is reversible. We noted the key role of entrepreneur in the capitalist economy. We also noted that he gathers the relevant factors of production - labour, land, capital, etc., co-ordinates and guides them in productive activities. Thus, he runs the risk of incurring a loss or making a profit. But the above positive points notwithstanding, it is quite clear that the primary target of the entrepreneur in a capitalist system is the expansion of his private capital. Therefore, whatever incentives that the entrepreneur offers or receives would be such that may not jeopardize his profit target.

One other consequences of corruption is the integration of communities in a national structure. Nye suggested two ways the national integration can exist:

(a) Integration of the Elite

The political groups based on wealth or power can be integrated by the assimilation of each other if exchange of gifts or bribe has taken place between them. However, one posing question is, of what relevant is this type of relationship important to the developing nation. In a nutshell, this purported relationship is no less than to unite or consolidate the selfish roles of the governing class and their allies.

(b) Brigding the gap between the Peasants and Overlords

McMullan has argued that a degree of low level corruption can 'soften' relations of officials and people. This form of relationship places doubts on the interest of the masses. It supports the offering of inducement even in the event of starvation by those who controls the state power as primary consideration before they are allowed to pick crumbs from the underneath their master's tables.

Furthermore, the use of state fund to support political parties is another way of enriching the politicians. For example, millions of naira that were pumped into political parties in 1979 and 1983 created more opportunities for self-enrichment in Nigeria than of improving the governmental capacity.<sup>46</sup>

Other benefits of corruption as put forward by positivists includes:

1. it provokes resentment and promote positive revolution in the long run.
2. it encourages a competition among the businessmen and entrepreneur in paying high bribes which may in turn promote efficiency in commodity production.
3. Avoidance of tax and accumulation of capital for entrepreneurs for better utilization especially where government are inefficient in the assessment

of taxes and spending priorities.

4. Corruption promote risk taking for businessmen while it enhances the implementation of policies by the bureaucrats.

The leftist's view raises a number of issues against these purported benefits of corruption. It is a myth that payment of high bribes by business men and intreprenuers produces efficiency in commodity production. No history lends support for corrupt practices such as tax invasion: 10 percent kick back or bribe paid by the contractors, obviously forms part of the cost of the contract awarded which was infact not utilized in execution of the contract. It is then the consumer who will be forced to suffer the unutilized 10% kick back notwithstanding that the money so awarded is from the public fund.

Experience in post-colonial states like Ghana and Nigeria makes it difficult to appreciate how corruption could motivate aliens to contribute in the development of a country. Corrupt aliens have rather been critical factors through multinational corporation.<sup>47</sup> Also the idea that corrupt practice encourages businessmen and 'developers' to take risks raises more questions than answers. In this regard, one could ask, what type of risks, and in whose

interest. It is simply stated that it is for the interest of the businessmen and the so-called 'developers'.

The purported encouragements to the politicians and bureaucrats in the implementation of policies is another way of presenting the question of "greasing the palms of government authorities". This practice bends the wheel of administration in favour of the privileged class.

It can be understood that all the points raised in support of corruption are merely various ways by which those who control state power accumulate wealth for themselves. On the other hand, scandals associated with political corruption could be beneficial to society in the sense that it promotes widespread political awareness. For instance, newspaper reports on corruption in Nigeria attract wide readership. It keeps people abreast of the negative activities of those in power. It can further lead to awareness which could give rise to the revolt of the masses. However, this has not been the case in Nigeria despite unbridled reported cases of corruption to date by the ruling class, since 1950.

Jemebewon (1978) has stated that any administration that are involved in political corruption faces the threat of military coup.<sup>48</sup> In Nigeria, political corruption have spurred military boys to yearn for a change of government as we shall discuss in chapter IV.

Jemibewon further contends that it has a countervailing costs which could be detrimental to society. Nyé says it is economically

wasteful, politically destabilizing and destructive of government capacity.<sup>49</sup>

Four points have been raised as negative effects of corruption:

- (a) Capital outflow
- (b) Investment distortion
- (c) Waste of skills, and
- (d) Aid foregone.

We have earlier made the point that the corrupt members of the governing class sometimes consider it unsafe to bank their loots in their home country.<sup>50</sup>

Consequently, it was speculated that in 1978, Umaro Dikko - a one time federal minister during the President Alhaji Shehu Shagari's administration catered away ₦10 billion from Nigeria which was scattered in different overseas banks.<sup>51</sup> Similar situation are bound to some other top government officials during second republic in Nigeria. The enormous amount involved in such capital flight has a substantial impacts on the operations of government in the sense that it paralyzes the government financially.

Another way is the irregular appropriations while exercising state power in an attempt to inflate government contracts. This distorts government financial account and leads to financial incapacitation of the government.



Ikenna Nzimiro summed up the 'legacy' left by the corrupt Nigerian politicians in four phraseologies:

leaving the national treasury empty  
 leaving themselves richer than the state  
 leaving the trading companies collapsing, and  
 leaving the nation politically and economically insolvent.<sup>52</sup>

In terms of waste of skills, Leys (1965) has argued that 'if the top political elite of a country consumes its time and energy in trying to get rich by corrupt means, it is not likely that the development plans will be fulfilled.<sup>53</sup> This is particularly true because the time that could be spent on the development of skills would be spent on planning how to defraud the government and extort money from people who need the services or favours of the government.

On the aid forgone, the developing corrupt countries may not receive the cooperation of the expatriates if they are recognized to be corrupt. Contrary, foreign banks lend money to countries known to be corrupt as a means of creating inroad into the countries. Nye also noted that there has not been correlational honesty of government and their per capita receipt of aid. Estlake (1987) stated that in Washington, D.C., Boon or Paris bemoan corruptions, while their counterpart - third world dictators happily conceive with the perpetrators when it suits their strategic interests.<sup>54</sup> "Instability" and "reduction of government capacity" have negative effect on political corruption. It is noted that political corruption has been used by coup plotters in Nigeria to rationalise their action and to mobilize support of the people.<sup>55</sup>

On the alternative economic system to jettison corruption in Nigeria. Idoko (1989) stated that capitalist structure of the economy as the cause of corruption through accumulation of capital by the less developed countries need to be dismantled to pave way for socialist structure.<sup>56</sup>

Femi Odekunle supporting the above view that from all available evidence, the only fundamental solution of the problem of Nigerian corruption is a "transformation from the existing capitalist type of development strategy to a genuine economic, political and social democracy."<sup>57</sup>

Also, Femi Falana writing on the solution to the widespread social malaise concurs that the only way out is for any government that is interested in wiping out corruption or curbing it, is to pluck up the courage to respond positively to the demands of the Nigerian people by adapting to the bureau. He retorted "it is only when the majority of the people have a stake in the means of production, distribution and exchange that corruption can be wiped out in any society, he concludes.

THE CONTEXT OF POLITICAL CORRUPTION IN  
NIGERIA

This section highlights the factors in the development of the post-colonial state of Nigeria and the introduction of western political system. The relationship between economic power, politics and the socio-economic background of the emergent governing class will be discussed. We hope that the above surveys shall provide a clear picture to the study of political corruption in Nigeria.

EMERGENCE OF THE NIGERIAN STATE

The pre-colonial state of Nigeria emerged from colonial expeditions. As a result of the scramble for Africa by the Europe and Asia, Nigeria happened to be colonialized by the British government. Economic interest was the major force in these expedition. Hakluyt stated that "this western voyage will yield unto us all the commodities of Europe, Africa and Asia.<sup>58</sup>

Thus, the Nigerian state emerged out of the womb of a century of colonial domination, distortion and exploitation. 1857 marked the colonial occupation of Lagos. In 1897, the West African Frontier Force was set up to enforce the western ideologies and was placed under the command of Lord Lugard. In 1900, Lord Lugard was appointed the British High Commissioner of Northern territories.<sup>59</sup>

In 1906, Lagos and Southern Nigeria were amalgamated into the colony and protectorate of Southern Nigeria.<sup>60</sup> In 1914 Lugard created a new unit - Nigeria for centralized administration.<sup>61</sup>

Abubakar Tafawa Balewa highlighted that 'since the amalgamation of the Southern and Northern provinces in 1914, Nigeria has existed as one country only on paper ... it is still far from being united.<sup>62</sup> Thus, those who seek state power in Nigeria sometimes resort to exploiting the country when it suits them.

Therefore, one of the most significant legacies of colonial rule in independent African states was the establishment of public institutions, agencies and corporations or what is usually referred to as the bureaucracy. There are political, economic and administrative complex organizations in the image of Max Weber's ideal type bureaucracy. According to him, its main feature is "a distribution of authority arranged systematically in accordance with general applicable rules."<sup>63</sup>

#### INTRODUCTION OF WESTERN POLITICAL SYSTEM

Despite the introduction of western national political system in Nigeria, traditional political system still persist till today especially in the rural areas. For example, the

Igbos has decentralized and democratic system; while the Hausas/~~Fulani~~ and Yorubas have centralized and automatic autocratic political system.

Consequently, the British colonial officials in Nigeria were responsible for policy-making and policy implementation.

On the qualification for franchise, the 1922 Clifford Constitution alienated a majority of the adult Nigerians from voting or contesting for electoral offices. Only people with a gross annual income of not less than £100 were qualified to vote.<sup>64</sup> As a result, only 3,000 and 1000 out of 40,000 and 10,000 adult males from Lagos and Calabar respectively were allowed to vote.

This implied that the western political system introduced in Nigeria was class oriented. It is possible that the colonial officials introduced the western political system into Nigeria on the assumption that since it functions effectively in their home country, it would also work satisfactorily in the colonies under their control. History has proved such assumption wrong. For instance, political parties which are expected to provide the platform for the convergence of people from different parts of Nigeria have almost been reduced to organizations with ethnic emphasis. It is now common knowledge that even before a political association received recognition as a political party by the National Electoral Commission of Nigeria, some people would have

identified it with a particular ethnic group.

The above points notwithstanding, it is important to note that the socio-economic formations of the post-colonial state of Nigeria have similarly influenced the political behaviour of civilians in the way they have piloted the affairs of the state in Nigeria, and the interests they have mainly served, as would be clearly shown in the subsequent chapters. This point suggests that care should be taken in using political system per se as basis for explaining the political behaviour of those who pilot the affairs of the state.

#### POLITICS AND ECONOMIC POWER

Considering the competitiveness of the demand for control of state power all over the world, it would seem that there is an intricate relationship between politics and economic power.

The task between us is to examine the nature of the relationship in the context of Nigeria. By economic power, we mean the ownership and control of financial and other material resources that could be used to influence socio-economic and political activities in society.

We have already cited the 1922 Clifford's constitution that disenfranchised many adults in Lagos and Calabar based on annual income of not less than £100.

Thus, the role of economic power in politics tends to arise from:

- (a) the struggle for state power, and
- (b) the benefits that accrue from the exercise of state power.<sup>64</sup>

The implication is that huge spending is required from those contesting an election in order to reach all the electorates at the remotest part of the country.

In order to alleviate the financial burden on candidates contesting for electoral offices in Nigeria, and to guard against possible interference on governmental activities by party financiers, the government of Nigeria before the 1979 elections resolved to limit the amount that could be spent on elections. The limiting period according to the chairman of 1979 federal electoral commission is between the date notice is given including the polling day.<sup>65</sup>

To ensure that the political parties does not spend beyond the maximum expenditure stipulated by the federal government; they further directed that all electoral expences should be forwarded to Federal Electoral Commission not later than three months after elections.<sup>66</sup>

Evidence reveal that some candidates who contested for elective post in 1983 spent money contrary to the federal government's legislated policy. For example, it was on record that Chief F.A. Nzeribe who won a senatoral seat in 1983

under the Nigerian Peoples Party of Nigeria spent about ₦45 million from his private account alone.<sup>67</sup> It was also recorded that another gubernatorial candidate in Anambra State in the 1983 elections spent about ₦23.7 million from his private account.<sup>68</sup> Some donation bargained by political parties was based on the party patronage if they win; but if the party is already in power, the bargain will be on percentage/patronage of money paid to the contractor as 'kickback'. For instance, Moradeyo Adesida, a prosecution witness told the Uwaifo Panel that after the payment of ₦4 million mobilization fee to Hammer Construction Company in 1981 in respect of ₦20.4 million road contract for the construction of Abakiliki - Afikpo - Ohafia road, four members of the National Party of Nigeria (NPN) collected ₦1.5 million from the company on behalf of the party.<sup>69</sup> This amount was recovered when the military took over the government in 1983.<sup>70</sup>

The above discussion shows that the political parties of the second republic did not abide by the electoral financial regulations of the government. Money was massively spent in order to capture state power. In this respect, Ogunna stated that election campaigns were marked with naira spree and election battle tended to have taken the form of 'naira battle'.<sup>71</sup>



According to Mokwugo Okoye, " ... only the wealthy can afford to contest parliamentary election and that corruption is inseparable from elections".<sup>72</sup>

However, ethnic sentiment is very powerful in Nigeria's election exercises. This goes to imply that ethnicity due to a large extent neutralizes economic power in influencing voting pattern in an election. In the 1979 elections in Nigeria, the influence of ethnicity crystallized and affirmed the above assertion. As one of the ex-legislators stated that even if 'goats' and 'cows' were fielded for elections under NPP in Anambra and Imo states in 1979 elections, they probably would have won the elections. It would be precise to indicate that Anambra and Imo states in the 1979 election were dominated by the NPP ethnic consideration of which the presidential candidate Dr. Nnamdi Azikiwe was presented by the party. He is from Anambra State. The same applies to other political parties such as National Party of Nigeria (NPN) whose presidential candidate was Alhaji Shehu Shagari from Sokoto state; Unity Party of Nigeria (UPN) had Chief Obafemi Awolowo from Ogun state; Great Nigerian People's Party (GNPP) fielded Alhaji Waziri Ibrahim from Bornu state; and the Peoples Redemption Party (PRP) whose presidential candidate was Alhaji Aminu Kano from Kano state. Each of them/party had greater number of votes in their respective state.

The implication of the above findings is that ethnicity more than any other factor tended to have influenced electoral support in the 1979 elections in Nigeria.

In summary, it is important to reiterate that several factors influenced political behaviour in any society. In the foregoing analysis, we noted that the absence of harmony between the western political system inherited as the 'national political system' of Nigeria and the persisting geo-political features of the pre-colonial societies of Nigeria, economic dependency, and the consequent weak economic base of the emergent governing class have in various ways influenced the political behaviour of the Nigerian governing class.

On this note, we shall now succinctly examine the character and motives of the emergent governing class in Nigeria.

#### THE GOVERNING CLASS IN NIGERIA

The word 'governing class' refers to the 'leaders of government' as different from the ruling class which is a wider class. However, they are interwovenly related.

Our focus here is not to show that the governing class in Nigeria emerge from the higher stratum of the various occupational groups in Nigeria. The arrangement would appear logical. In both the capitalist and socialist countries,

those who govern emerge from the higher stratum of the societies. It is noteworthy that the working class is said to be in control of states like the Soviet Union and Cuba; those who actually govern emerge from the upper stratum of the working class.

The task before us in this section is to identify the characteristics of the Nigerian governing class in the context of the Nigerian socio-economic formation.

It would be reasonable to raise question as to the extent factors like age, education, ethnicity, etc are important in understanding the political behaviour of the Nigerian governing class. In Anambra and Imo states, graduates dominated executive members while the holders of School Certificates and diplomas dominated the membership of Houses of Assembly.

The occupational background of the governing class is important in identifying the classes from which they emerge. Scholars have made frantic efforts to bring to focus the occupational background of the indigenous governing class in Nigeria during the 1979 election.

Table I

OCCUPATION OF ANAMBRA LEGISLATORS AND  
COMMISSIONERS (1979 - 1983)

OCCUPATION	LEGISLATORS	COMMISSIONERS
Business	27	-
Lawyers	4	6
Teachers	19	1
Local Government Councillors/Chairmen	11	-
Professionals other than lawyers	14	14
Others	12	-

Source: Adapted from E.C. Amucheazi "Social Background of Nigerian Political Leaders and its Implications for Public Policy. The Nigerian Journal of Social Studies, 2, 2, December 1985, p. 38.

Nzimiro describes this group of people as "... those in commanding heights of state power?"

The use of state power for private enrichment has adverse effects on both the government and the generality of the people.

Considering the fact that the Nigerian governing class is economically weak and is oriented towards using state power to accumulate wealth for themselves and their clients,

it will, therefore not be surprising to observe that they exploit every opportunity at their disposal to satisfy their private calculations through the instrumentality of state power. It is in this context that economic powers, ethnicity, religion, etc are relatively employed as tools by both the political aspirants and those already in power.

In the final analysis, it is important to reiterate that the character of the governing class is itself highly influenced by the nature of the socio-economic formations of society. Thus, in the communique released by the Nigerian Anthropological and Sociological Association at the end of its 8th Annual conference on May 13, 1982, it remarked in respect of Nigeria that 'since the capitalist nature of the society emphasizes and glorifies private wealth and private accumulation of same, it induces both corruption and collusion between the Nigerian ruling elites and foreign business interests, to defraud this country of its resources.'<sup>73</sup>

<sup>1</sup>Webster Third New International Dictionary of Current English, 1961.

<sup>2</sup>S.R. Payne, The Corrupt Society: From Ancient Greece to Present Day America, New York: Praeger Publishers, 1975.

<sup>3</sup>E.G.J. Omotunde, 'An Economic Analysis of Corrupt Government with Special Application to Less Developed Countries' Kyklos, 28, 1975, p. 405.

<sup>4</sup>J. Patrick Doherty, 'The Corruption of a State' The American Political Sciences Review, Vol. 71, No. 3, September 1978, p 958.

<sup>5</sup>C.J. Friederick, Man and His Government, New York, 1963, p. 167.

<sup>6</sup>R. Wraith and E. Simpkins, 'Corruption in a Developing Countries', Asian Survey, Vol. II No. 4, April 1967, "Reflections on Bureaucratic Corruption" Public Administration Review, Vol. 40, (Winter 1962), p. 357.

<sup>7</sup>B. Ben-Dor G. I. "Corruption, Institutionalization and Political Development: The Revisionist Thesis Revisited". Comparative Political Studies, 7, 1, April 1974.

<sup>8</sup>I.N. Obasi, "Corruption in Nigeria: A Critique of the Revisionist Theses", Studies in Humanities, 1988, Vol. I, No. 1.

<sup>9</sup>D.B. Bayle, 1966, Op. Cit, pp. 720 - 721.

<sup>10</sup>J.S. Scott, 1972, Op. Cit, p. 11.

<sup>11</sup>D.E. Apter, Comparative Politics: a reader, p. 6. New York: Free Press of Glance, 1963, p. 6.

<sup>12</sup>M. Peil, Nigerian Politics: The Peoples' View. London: Cassel, 1976, p. 49.

<sup>13</sup>J.A. Akinpelu, "Values in Nigerian Society" in Nduka, O and Iheoma, A (eds), New Perspective in Moral Education, Ibadan Evans Brothers, 1983.

<sup>14</sup>T.U. Nwala, "Changing Moral Values and Social Development in Nigeria" in Amucheazi, E.C. (ed), Readings in Social Sciences: Issues in National Development, Enugu: Fourth Dimension Pub. 1980.

<sup>15</sup>I.A. Eteng, "Changing Patterns of Socialization and their Impact on National Development", in Amucheazi, E.C. ed. Readings in Social Sciences: Issues in National Development, Enugu: Fourth Dimension Publishers, 1980.

<sup>16</sup>J.A. Akinpelu, 1983, Op. Cit.

- 17 J.S. Scott, 1972, Op. Cit.
- 18 St. Peter, Chapter 1: 1-3 (Holy Bible)
- 19 Bryce, 1967, quoted in Appadorai, A. "The Substance of Politics" (Madras: Oxford University Press, 1978).
- 20 R. Wraight & E. Simpkins, 1963, Op. Cit.
- 21 M. Okoye, The Growth of Nations. Enugu: Fourth Dimension Publishers, 1978.
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<sup>37</sup>L. Iheonu, "A Note on Corruption" The Gardian, Thursday, February 17, 1974, p. 16.

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<sup>48</sup>D.M. Jemibewon. A Combatant in Government. Ibadan: Heinemann, 1978, p. 4.

<sup>49</sup>J.S. Nye, quoted in D.M. Jemibewon, Op. Cit, p. 421.

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<sup>52</sup>I. Nzimiro, "Structural Causes of Indiscipline and Corruption. Paper presented at the National Seminar on Indiscipline and Corruption



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<sup>54</sup> M. Estalake. "Loot Inc." South, March, 1987, p. 15.

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K.W. Walker: A History of the British Commonwealth: A Notebook Summary. London: George G. Harrap, 1964, p. 1.

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<sup>64</sup> S.O. Okafor, Indirect Rule: The Development of Central Legislature in Nigeria: Lagos, Nelson, 1981, p. 196.

<sup>65</sup> M.O. Ani, "Conduct of Elections in Developing Countries" (Paper presented at the National Conference on the conduct of Elections in Nigeria held at University of Nigeria), February 1 - 4, 1984, p. 15.

<sup>66</sup> The Ex-party leaders interviewed held offices for NPN and NPP at the state level in Anambra State. They withheld their names for the secret of their party.

<sup>68</sup> The candidate in question did not grant the research permission to quote his name.

<sup>69</sup> See Statesman, February 24, 1987,

<sup>70</sup> Ibid.

71 A.E.C. Ogunna. "Electoral Behaviour and Political Stability in Nigeria" (Paper presented at the National Conference on the Conduct of Elections in Nigeria held at University of Nigeria, Nsukka, 8th - 13th October, 1982), p. 9.

72 M. Okoye, "Party Politics and Elections: A Historical and Functional Analysis" in J.A. Atanda and A.Y. Aliyu (eds). Political Development. (Proceedings of the National Conference on Nigeria since Independence, Zaria, March 28,- 31, 1983), pp. 487 - 499.

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### CHAPTER III

#### GOVERNMENTAL INSTITUTION

##### 3.1

In this chapter, we shall critically examine the major government institutions that existed in Nigeria in the period under investigation. We have noted that political corruption results from the nature of the exercise of state power. The exercise of state power is done at the various governmental levels and through the various governmental institutions. Dudley (1982) has rightly observed that 'institutions carries the sense of a mechanism or machinery for doing things, a machinery which has parts, each part fitting into the other to form a complex whole'.<sup>1</sup> He further explained that institutions, or structures, are means through which the political affairs of the nation are conducted and managed.<sup>2</sup>

We shall therefore look at these organs or institutions of government in the second Republic (1979 - 1983) of Nigeria, through which public officers exercise state power.

The 1979 constitution under which the Second Republic was ushered in provided for a presidential system of government. In this regard, the principle of separation of powers was enshrined to ensure that there would be checks and balances in the discharge of governmental responsibilities. Thus, three organs of government - the Executive, Legislative

and the judiciary were established. Achike (1978) stated that the doctrine of 'separation of powers' enshrines the practice whereby the three main organs of government, are as much as possible made to exist and function independently of one another.<sup>3</sup>

### THE EXECUTIVE

Scarrow (1964) broadened the executive organ of government to include the whole government bureaucracy, together with the politically responsible officials who direct and control it.<sup>4</sup> In this study, the word 'Executive(s)' would be regularly used. However, occasionally, we could refer to the political executive by that designation i.e., the executive organ of government.

Since 1960, Nigeria has witnessed both the parliamentary and presidential system of government. In the former, the political executive was chosen from the parliament, remained part of the parliament and depended on the confidence of the parliament for its continued stay in office. In the later, the executive was elected independently of the legislature for a fixed term, and was not considered part of the legislature.

The diffusion of power in the parliamentary system as practised in the First Republic of Nigeria was incessantly exploited by the governing class. It is also observed that the struggle for self aggrandisement led to manoeuvrings between the executive and the legislative arm of the government.

Dudley stated that Fanon contended that, "following an independence in Africa, the national government becomes a holding company of the new class with intent of sharing the national booty."<sup>5</sup>

With the above factors, the makers of the 1979 constitution for Nigeria, fashioned a presidential system of government as an alternative. They thought it wise and psychologically too that a single Chief Executive commands single mindedness and a clear locus of responsibility.<sup>6</sup>

The following considers the three arms of the government as they operated in the 1979 constitution of Nigeria as was adopted in Nigeria on October 1, 1979. The constitution ensured that those to be elected for national and state offices were to be of proven integrity and ability. It stated that they should be duly elected by the electorates whose interest were expected to be protected. S.5(1)(a) of the 1979 constitution provides that the executive powers of federation is the responsibility of the president; though he may deligate his powers to either the vice-president or Ministers of the federation. Similarly, S.5(2)(a) also provides that the executive powers of the state shall rest on the governors and may be exercised by him either directly or through the Deputy-Governor and Commissioners of the state government or any other public officers in the state as may

be provided. One interesting aspect of the work of the Constituent Assembly which fashioned out the 1979 constitution is that 'the executive of a state is not just the single individual who is the head of state; it includes a host of aides and auxiliaries, executive assistants and administrators whose day to day responsibilities are acts of the governor.'<sup>7</sup>

Thus, Nwabueze (1977) pointed out that the responsibilities of government are differentiated in line with their respective distinctive features. He grouped them into three categories which includes: executive, law-making and law-interpretation or adjudication.<sup>8</sup>

We have noted that the 1979 Constitution of Nigeria vested the executive powers of the federation on the president and that of the states on the governors respectively. The constitution also provided that the executive powers of the local government is vested on the chairman. Other executives organs were assistants to the Chief Executive.

The functions of the Chief Executive depended on his area of control. Thus, the president of the federation wielded more powers and had more diversified roles than a state governor, or local government chairman. For example, the president had the responsibility of ensuring equitable distribution of amenities to the whole federation, appointing

ministers and other top functionaries of the federation; assenting to bills passed by the National Assembly to give such bills legal status; executing the policies of the National Assembly, regulating diplomatic relations, controlling the Armed Forces of the Federation, etc. Generally, the President is expected to direct the course of events in all dimensions of the national life. Furthermore, the President also exercised the power of prerogative of mercy.

The executives are pre-occupied by the day to day activities of the nation. They occupy a prominent position in the articulation of the daily needs of the people. Pritchett (1977) has it that 'the executive is always in session, always available to fill in gaps and meet emergencies'.<sup>9</sup> Therefore, whenever, the executive deviates from meeting up the people's needs, the people suffers untold hardship and consequent hazards.

The then Anambra State (now Anambra and Enugu state) were our focus of political corruption. The responsibilities of the state was vested on the Chief Executives, Governor Chief Jim Ifeanyichukwu Nwobodo. It is the state that this study were focused on investigation of abuse of executive powers during the Second Republic.

We shall, for the moment examine some theoretical suppositions and structure of another organ of government - the legislature in the Second Republic.

## THE LEGISLATURE

This is another important arm of the government. The arm was elected to represent the various units of society in decision-making at the government level.

S.4(1) of 1979 constitution provides that the legislative powers shall be vested on the National Assembly for the federation which consist of a Senate and a House of Representative. While S.4(7) vested legislative powers on the state House of Assembly; the same applies to the Chairmen of the local governments throughout the federation.

The establishment of this arm of the government became necessary because the growing population of contemporary polities and such other factors as literacy and governmental structure have tended to make it impossible for everybody to represent himself or herself in decision-making at the governmental level. Gould and Kold (1964) explained the principle of representation as 'an expedient by which an assembly of certain individuals chosen by the people is substituted in place of the inconvenient meeting of the people themselves.'<sup>10</sup>

Having adopted the American Presidential system of government, the Constituent Assembly built much hope on the Legislature as a governmental organ that could checkmate possible excesses on the part of the Executive, considering the enormous power conferred on the Chief Executives at the State and Federal levels. In this light, the Constituent Assembly



established by the Government of General Murtala Muhammed asserted: "We are, however, only too conscious that without a vigilant legislature capable of acting as a check on Presidential powers, those powers could easily be abused".<sup>11</sup> In a similar vein, the Constituent Assembly asserted that 'the Legislature must be the protector and the watchdog of the people's rights against any encroachments from any quarter whatsoever - be such quarters the other branches of government or external interests'.<sup>12</sup> On this premise, the functions of the Legislature were identified to include 'checking, supervising and controlling the Administration', and 'educating the public with regard to what is going on or not going on' within the corridor of power.<sup>13</sup> While underpinning the primary function of the Legislature as decision-making institution, the Constituent Assembly stressed that 'it must keep itself informed of the needs of society and of the ways in which the laws it enacts are executed'.<sup>14</sup> These assertions tend to suggest that the Constituent Assembly reposed a lot of confidence in the Legislature as an effective instrument for protecting the interests of the people and checkmating abuse of power on the part of the other organs of government, including interference from external forces.

On the whole, 1,891 people were elected into the various legislatures in Nigeria during the 1979 general elections as shown in the following table:

TABLE IIDISTRIBUTION OF LEGISLATORS BY STATE AND LEGISLATURE

STATE	SENATE	HOUSE OF REP.	HOUSE OF ASSEMBLY
Anambra	5	29	87
Bauchi	5	20	60
Bendel	5	20	60
Benue	5	19	57
Borno	5	24	72
Cross River	5	28	84
Gongola	5	21	63
Imo	5	50	90
Kaduna	5	33	99
Kano	5	46	138
Kwara	5	14	42
Lagos	5	12	36
Niger	5	10	30
Ogun	5	12	36
Ondo	5	22	66
Oyo	5	42	126
Plateau	5	16	48
Rivers	5	14	42
Sokoto	5	37	111
Total	95	449	1,347

SOURCE: Produced on the basis of the 1979 election results released by the Federal Electoral Commission.

It would appear important at this juncture to underline the critical roles played by political parties in the Second Republic of Nigeria. Primarily, the 1979 Constitution did not provide for independent candidacy in any of the elections. This, therefore, implies that anybody who wanted an elective office must first of all receive the support of a registered political party. Thus, all those who were elected into the office of Chief Executive and the Legislature at the state and federal levels contested on the platform of the various political parties. It is not surprising to note that even after the elections, political parties continued to exercise remote control over their members in government.<sup>15</sup> On the other hand, those in power were compelled to respond positively to party pressures in order not to jeopardize their chances of party support in the subsequent elections. Consequently, it could be observed that the constitutional position of political party as the ladder for ascending to power affected the loyalty of some of the people in power. A good number of them bowed to party pressures that would have otherwise jeopardized their electoral chances. Some of the implications of party pressures on those in power in the Second Republic will subsequently be highlighted.

Okoye (1983) stated that the 1979 Constitution of Nigeria is clearly built on the principle of separation of powers, the relationship between the Executive and the Legislature was intricate. Although members of the Executive were not members of the Legislature, they initiated several bills in the Legislature. For example, in Anambra State, between 1979 and 1983, the Executive initiated more bills in the State House of Assembly than the individual Legislators.<sup>16</sup>

On the other hand, appointments made by the Chief Executive were subjected to the screening and approval of the Legislature. Party politics played significant role here. Where the party in power also controlled majority seats in the Legislature, the Executive experienced minimum opposition from the Legislature. But in a situation in which the party that controlled Executive power did not win majority seats in the Legislature, the Executive was opposed by the Legislators on virtually every point, as was experienced in Kaduna State under Governor Balarabe Musa.

Two points should also be noted in the relationship between the Executive and the Legislature. For instance, <sup>23</sup> majority votes of the Legislators could give legal status to a bill which the Chief Executive refused to assent to.

Furthermore, while the Legislators could impeach the Executive, the Executive could neither impeach any of the Legislators nor dissolve the Legislature. As we have noted earlier, these critical powers of the Legislature were institutionalized as a way of checking the excesses of the Executive which is constitutionally conferred with enormous powers and functions which directly affect the life of the people. Having discussed on the executive and legislature, it is pertinent to complete the circle by reflecting briefly on the third arm, the judiciary.

#### THE JUDICIARY IN THE SECOND REPUBLIC OF NIGERIA:

The critical position of the judiciary in both civilian and military regimes in Nigeria could be adduced from the fact that under the civilian regime, it is recognised as one of the three organs of government with the very important responsibility of ensuring that justice reigns supreme in society, while, on the other hand, of the three organs of government - Executive, Legislature, and Judiciary - it is the only organ that no military coup in Nigeria has swept away as is the case with the Executive and the Legislature. Thus, Section 6 sub-section 1 of the 1979 Federal Constitution of Nigeria states that judicial powers of the federation shall be vested in the courts to which this section relates, while Section 6(2) stated that judicial powers of the state

shall be vested in the courts to which this section relates being courts established, subject as provided by this constitution for a state. (See section 5(a) to (f) of 1979 Constitution.

Generally, the judiciary is looked upon as an arm of government that ensures the rule of law, and thus ensures that there is equity in society. Justice William has aptly stated that 'once the rule of law is jettisoned, anarchy will be the sole beneficiary'.<sup>17</sup> Similarly, the President of Nigeria (1979 - 83), Alhaji Shehu Shagari, (1983) asserted with regard to Nigeria: 'The judiciary acts as the final umpire in the entire system. Therefore, the success of the judiciary is an important ingredient to our political stability.'<sup>18</sup> Bryce succinctly summarized these views when he asserted that 'there is no better test of the excellence of a government than the efficiency of its judicial system'.<sup>19</sup> Efficiency in this context should be understood in terms of the success of the judiciary in ensuring that equity prevails irrespective of the positions of individuals in the social structure of society. In this light, Achike (1978) contends that 'the attainment of justice is the purpose to which the complicated office of jurisprudence is dedicated. Primarily, it is the courts the ordinary citizens look to in their quest

for justice'.<sup>20</sup>

In the 1979 Constitution of Nigeria, the judiciary is recognised as one of the three arms of government, and, at least in principle, independent of the other two organs of government - Executive and Legislature. As a result of the responsibility of the Judiciary in ensuring that justice prevails in society, Dudley contends that 'it is the judiciary, ultimately, which holds the balance between the executive and the legislature on the one hand, and on the other hand between those two arms of government and the ordinary citizen.'<sup>21</sup>

Several scholars have advocated that the judiciary should be truly independent i.e. self-accounting, if it will succeed in performing the onerous task placed on it. In this regard, the International Commission of Jurists asserted that:

An independent judiciary is an indispensable requisite of a free society under the rule of law. Such independence implies freedom from interference by the executive or the legislature with the exercise of the judicial functions, but does not mean that the judge is entitled to act in an arbitrary manner.<sup>22</sup>

In Nigeria, the courts of law exercise the judicial powers of the state. The courts are hierarchically structured in accordance with the Federal structure of Nigeria in which

power appears to be concentrated the more as one moves from the state governments and their subsidiaries to the federal government.

The point about the judiciary which is of interest to us is its relationship with the other organs of government, and the implications of this relationship on the exercise of judicial functions in society.

It is important to note that the network of checks and balances provided in the 1979 constitution of Nigeria also tries to guard against the abuse of the judiciary by placing the appointment and removal of Judges in the hands of the Executive, Legislature, and the Judicial Service Commission. The Judges are looked upon as the key figures in the Judiciary. Thus, Justice Sparrow contends that 'when the curtains are drawn and the judge steps up the bench and takes his seat, he carries a unique responsibility.'<sup>23</sup> This responsibility includes the task of underlining justice, and ensuring the rule of law.

The 1979 constitution provides that Judges should be appointed by the President, and state Governors on the advice of the Judicial Service Commission, subject to the approval of a simple majority of the Legislature. Section 211, 218 and 229 spell out the mode of appointment of the Judges of the Federal Supreme Court, Federal Court of Appeal, and Federal



High Court. While section 211 (1) stipulates that 'the appointment of a person to the office of Chief Justice of Nigeria shall be made by the President in his discretion subject to confirmation of such appointment by a simple majority of the Senate'; sub-section (2) states that the appointment of a Justice of the Supreme Court shall take after the system in sub-section (1) except that the appointment should be made based on the advice of the Federal Judicial Service Commission. The system of appointment of a person to the office of President of the Federal Court of Appeal as provided for in S. 218 is the same as that of the appointment of a Justice of the Supreme Court. The same is true of the appointment of persons to the offices of Chief Judge and Judges of the Federal High Court except that there is no provision that the appointment should be subjected to the approval of the Senate.

Similarly, the appointment of the Chief Judge of the High Court of a State (S. 235(i), and (S.241(1), and President of a Customary Court of Appeal (S. 246(1), shall be made by the Governor of the State on the advice of the State Judicial Service Commission, subject to the approval of a simple majority of the State House of Assembly. On the other hand, the appointment of persons to the offices of Judge of a High Court of a State (S. 235(2), Kadi of the Sharia Court of Appeal of a

State (S. 241(2), and Judge of a Customary Court of Appeal of a State, shall be made by the Governor of a State on the recommendation of the State Judicial Service Commission. The approval of a State House of Assembly is not demanded.

With regard to the removal of the judicial officers mentioned above, S. 256 provides that no judicial officer should be removed from office before his retiring age (60 years, S. 255), except in the following circumstance: 'inability to discharge the functions of his office or appointment (whether arising from infirmity of mind or of body) or for misconduct or contravention of the code of conduct'. S. 256(1) (a) (i) and (ii) and (b) provides that those whose decision would determine the removal or otherwise of a Federal Judicial Officer are the President, the Senate, and the Federal Judicial Service Commission, while a State Governor, State House of Assembly and State Judicial Service Commission are involved in the case of state judicial officers.

A fundamental problem arising from the power vested in the offices of the Chief Executives of the States and Federation, State Houses of Assembly and the State and Federal Judiciary Service Commissions to appoint judicial officers is rooted in the politicisation of the judiciary, thereby attempting to make the judiciary partisan in the performance of its functions. The root of this problem could be located

in the composition of the structures entrusted with the responsibility of appointing and approving the appointment of judicial officers.

We may recall that the President, Governors and Legislators in the Second Republic of Nigeria contested for elections on the platform of their various political parties. It was not, therefore, surprising to note that party alignment was a critical factor in the appointment of people to offices at the State and Federal levels. This was particularly true in cases in which the party in control of the Executive also controlled majority seats in the Legislature.

The role of the Chief Executives of the States and Federation in appointing some members of the Judicial Service Commission tends to weaken the confidence one would like to have on the Commission. Third Schedule, Part 1 Sec. D(7) (a)-(e) of the 1979 Constitution provides that the Federal Judicial Service Commission shall comprise the following members:

- (a) the Chief Justice of Nigeria, who shall be Chairman;
- (b) the President of the Federal Court of Appeal;
- (c) the Attorney-General of the Federation;
- (d) 2 persons, each of whom has been qualified to practice as legal practitioner in Nigeria for a period of not less than 15 years, from a list of not less than 4 persons so qualified recommended by the Nigerian Bar Association; and

- (e) 2 other persons, not being legal practitioners, who in the opinion of the President are of unquestionable integrity.

Similarly, Third Schedule Part II, Sec. D (8) (a) - (f) provide that a State Judicial Service Commission shall comprise the following members:

- (a) the Chief Judge of the High Court of the State, who shall be the Chairman.
- (b) the Attorney-General of the State;
- (c) the Grand Kadi of the Sharia Court of Appeal of the State, if any;
- (d) the President of the Customary Court of Appeal of the State, if any;
- (e) one member, who is a legal practitioner, and who has been qualified to practise as a legal practitioner in Nigeria for not less than 10 years; and
- (f) one other person, not being a legal practitioner, who in the opinion of the Governor is of unquestionable integrity.

On the basis of these constitutional provisions for the appointment of members of the Federal and State Judicial Service Commissions, it would appear that the opinion and interest of the President (with regard to the Federal Judicial Service Commission), and Governor (with regard to the State Judicial Service Commission), constituted a critical factor.

Aguda (1983) has observed that the danger in these arrangements was that these commissions had the responsibility of recommending people to be appointed Judges of the Superior courts and those to be removed from office. He contended that as a result of these arrangements, the independence of the Judges 'is thus seriously compromised, and in the circumstances it would require fearless men of the strongest will to do justice where the interest of the reigning political party is involved'.<sup>24</sup> Furthermore, by controlling the finances of the judiciary, in addition to possessing the powers of nolle prosequi and prerogative of mercy, the Executive appeared to have been well placed to influence some of the actions of the judiciary.

Generally, the 1979 constitution of Nigeria built on the principle of separation of powers provided checks and balances for forestalling the abuse of powers on the part of any of the organs of government. This fact notwithstanding, the judiciary was exposed to the manipulation of the Executive and the Legislature.

We have mentioned earlier that the 1979 Constitution of Nigeria made provisions for checks and balances among the operations of the three distinct arms of government. Our next discussion shall now be a highlight of how these principles works.

For instance, the president can declare war with any other country for the protection of the national integrity. This declaration shall however be checked by the National Assembly whose supportive resolution shall be by the joint sitting of both houses. Secondly, the president can also appoint federal ministers. The 1979 constitution provides that the list of such appointees has to be tabled for the Senate who shall scrutinize and approve of it. It shall be done on quota basis to reflect at least one Minister from each state before final confirmation.

The president as commander-in-chief of the armed forces reserves the right to deploy the Armed Forces within the country which in his opinion should be for effective control of the army. But where it involves deployment outside Nigeria, the Senate is expected to give prior approval before deployment.

On the general maintenance of law and order S. 30 - 42 of the 1979 constitution contains the provisions that guaranteed individual Fundamental Human Rights.

The President prepares the National Budget for the fiscal year, but the National Assembly has the power to approve and give authorization for the expenditure. The National Assembly also reserves the power to investigate the appointment made by the President. The National Assembly reserve

the powers to impeach the President in the event of any gross misconduct in his attempt to provide good government for the people. The National Assembly also has the power to impeach any public officer appointed for national assignment by the president in the event of gross misconduct.

The president reserves the constitutional right to declare a state of emergency in any part or throughout the entire nation. However, the National Assembly must give supportive approval by at least 2/3 majority.

On the other hand, the National Assembly is the law making organ of Nigeria but the president has the constitutional right to veto the act of the National Assembly.

The State House of Assembly also make law for the state and the state Governor reserve the constitutional right to refuse assent to the law proposed. The National Assembly may propose a bill for creation of more states, but it must be approved by 2/3 majority of both Houses. People of the area affected must also give approval by a referendum to be conducted and which must be supportive by 2/3 majority.

The National Assembly may legislate to amend any part of the constitution as they may deem necessary through the special provisions of the constitution, which provides about 2/3 majority approval of both houses, but 4/5 in case of special

issues. In case of state, about 2/3 approval of the State House of Assembly is required.

The judiciary reserves the right to declare non-constitutional of the act of the legislature. But chapter II of 1979 constitution also prohibits the court to adjudicate on any matter on "Fundamental Objectives and Directives Principles of State Policy". Thus, the jurisdiction of the court has been ousted by the constitution to adjudicate on those areas. The judiciary after adjudication on any matter reserves the right to impose penalties or/and sentences on any individual, group, corporation, etc if found guilty in accordance with the provision of the constitution. As a check, the president reserves the right to apply prerogative of mercy where he found it necessary to do so. The president also has the constitutional right to appoint leading members of the judicature. The National Assembly has the power to legislate on certain High Court practices and procedures even though it is their responsibilities to general exercise of judicial powers.

The excessiveness of the state governor is being checked by the president on the residual powers reserved for the state. Also the National Assembly checks the State House of Assembly on their Legislature on Residual power.



The above discussion, thus far, shows clearly that while the Executive and the Legislature could invitedly exercise checks on the activities of the other arms of government, the judiciary has to wait until a case was brought before it. The implication of this situation is that the voice of the judiciary is rarely heard in the politics of the state. This tends to suggest why the Executive and the Legislature appear to attract more attention in the study of the organs of government.

In summary, we may underline that the so-called separation of powers, at least as provided for in the 1979 Constitution of Nigeria, is more of a myth. The political parties and the Political Executive interfered with the business of the Legislature and the Judiciary. The Legislators in turn interfered with the business of the Executive. The Executive controlled patronage and, thus, could browbeat the Legislators. The Judiciary in turn could not interfere with the business of the Executive or the Legislature unless a case was brought before it. In the whole interplay of power between the various arms of government, political power was important for security and wealth. In this light, public functionaries lean on the Chief Executive for patronage, a situation that generates manipulation and corruption. In other words, the uncertainty created by

the socio-economic situation of the post-colonial state of Nigeria paves way to corruption. This suggests that the problem being investigated in this study is not rooted in the structure of government. It is rather underpinned in the socio-economic formations of society and the character of the governing class.

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<sup>1</sup> B.J. Dudley, An Introduction to Nigerian Government and Politics. Nigeria: Macmillan, 1982.

<sup>2</sup> Ibid.

<sup>3</sup> O. Achike, Groundwork of Military Law and Military Rule in Nigeria: Enugu: Fourth Dimension, 1978.

<sup>4</sup> H. Scarrow, 'Executive', in Gold, J. and Kolb, W.L. (eds) A Dictionary of the Social Sciences. London: Tavistock, 1964, p. 250.

<sup>5</sup> Dudley, Op. Cit, p. 22.

<sup>6</sup> Reports of the Constitution Drafting Committee, Vol. II Lagos: Federal Ministry of Information, 1976, p. 67.

<sup>7</sup> Ibid.

<sup>8</sup> B.O. Nwabueze, Constitutionalism, Enugu: C. Hurst, 1977, p.12.

<sup>9</sup> C.H. Pritchett. The American Constitution (New Delhi: Tata McGraw-Hill, 1977), p. 238.

<sup>10</sup> J. Gold and W. Kolb (eds). A Dictionary of the Social Sciences, London: Tavistock Publications, 1964, p. 592.

<sup>11</sup> Report of the Constitution Drafting Committee containing the Draft Constitution, Vol. I. Lagos: Federal Ministry of Information, 1976, p. xx.

<sup>12</sup> Reports of the Constitution Drafting Committee, 1976, Vol. II.

<sup>13</sup> Ibid.

<sup>14</sup> Report of the Constitution Drafting Committee containing the Draft Constitution, op. cit. p. xx.

<sup>15</sup> For instance, Alhaji Balarabe Musa of the PRP who was elected Governor of Kaduna State could not have his list of nominees for the State Commissioners approved by the N.P.N. dominated legislature.

<sup>16</sup> I.C. Okoye, "Legislators and Representations: A Case Study of the 1979-83 Anambra State Legislators", (Unpublished M.Sc. Thesis, UNN, 1983, pp. 250 - 258.

17. Quoted in Offodile, C. (ed), 'The Rule of Law: Girding up for a New Era: NEWGLOBE, Vol. I.No. 4.

18. S. Shagari 'Judiciary as final umpire:' (Text of Speech at the Swearing-In of Justice George Sowemimo as the Chief Justice of Nigeria, (4/11/83), The Guardian, 7/11/83, p. 3

19. Quoted in Appadorai, A. "The Substance of Politics". Madras: Oxford University, 1978, p. 557.

20. O. Achike, Ground work of Military Law and Military Rule in Nigeria, Enugu: Fourth Dimension Publishers, 1978, p. 184.

21. Dudley, Op. Cit., p. 154

22. Quoted in Achike, Op. Cit, p. 185.

23. Quoted in Ibid.

24. T.A. Aguda. The Judiciary in the Government of Nigeria Ibadan: New York: 1983, p. 36.

4.1

CHAPTER IVGOVERNMENTAL INSTITUTIONS AND CORRUPTION

Having explored the major structures of government institutions, we now examine the manner, the implications and subversions of these governmental institutions by the governing class in an attempt to satisfy their private regarding interests.

The coming to force of the Second Republic of Nigeria on October 1, 1979 was received with mixed feelings. Some people welcomed it with lots of good promises for the generality of the people, while to others, the factors that led to the collapse of the First Republic did not serve any purpose for the actors of the Second Republic.

The common feature of the state governments in the Second Republic shows that the party that produced the governor of a state also won majority of the seats in the State House of Assembly as could be seen in the following table:

Table III PARTY CONTROL OF THE EXECUTIVE AND LEGISLATURE IN STATES (1979 - 1983)

STATE		NPN	UPN	NPP	PRP	GNPP	TOTAL SEATS FOR STATE ASSEMBLIES
Anambra	E-	-	-	E	-	-	87
	L-	13	-	73	-	1	
Bauchi	E-	E	-	-	-	-	60
	L-	45	-	4	2	9	
Bendel	E-	-	E	-	-	-	60
	L-	22	34	4	-	-	
Benue	E-	E	-	-	-	-	59
	L-	48	-	3	-	-	
Borno	E-	-	-	-	-	E	72
	L-	11	-	-	2	59	
C/River	E-	E	-	-	-	-	84
	L-	58	7	3	-	16	
Gongola	E-	-	-	-	-	E	63
	L-	15	18	4	1	25	
Imo	E-	-	-	E	-	-	90
	L-	9	-	79	-	2	
Kaduna	E-	-	-	-	E	-	99
	L-	64	3	6	16	10	
Kano	E-	-	-	-	E	-	138
	L-	11	1	-	123	3	
Kwara	E-	E	-	-	-	-	42
	L-	25	15	-	-	2	
Lagos	E-	-	E	-	-	-	36
	L-	-	36	-	-	-	
Niger	E-	E	-	-	-	-	30
	L-	28	-	-	-	2	
Ogun	E-	-	E	-	-	-	36
	L-	-	36	-	-	-	
Ondo	E-	-	E	-	-	-	66
	L-	1	65	-	-	-	
Oyo	E-	-	E	-	-	-	126
	L-	9	117	-	-	-	
Plateau	E-	-	-	E	-	-	48
	L-	10	-	35	-	3	
Rivers	E-	E	-	-	-	-	42
	L-	26	-	15	-	-	
Sokoto	E-	E	-	-	-	-	111
	L-	92	-	-	-	19	

Note/Key: E = Executive  
L = Legislature

From the above table, it could be observed that Kaduna State was the only state in which the party in control of the Executive did not produce the majority of legislators in the State House of Assembly. The influence of political party in the relationship between the Executive and the Legislature was outrightly made manifest in Kaduna State. Thus, the list of the governor's nominees for the post of state commissioners was consistently rejected by the state legislature. The inter-party conflict reflected in the strained relationship between the Executive and the Legislature reached its apogee when the state governor was impeached and, consequently, removed from office by the state (NPN dominated) Legislature. In this light, it could be observed that political parties did not only play critical roles in elections, they also influenced the activities of the government at the state and federal levels. The parties appeared to have been primarily selfish in most of their influences on the government. An example is the party influence which led to the collapse of the working accord between the NPN and NPP. The text of the accord states:

... noting that following the Federal General Elections of 1979 that generated some bitterness among the competing parties, it is necessary to terminate all state of uneasiness in the country and effect working co-operation among all willing political parties in order to promote effective civilian administration which can guarantee security, peace and progress in the country ....

Events in the politics of the Second Republic tend to suggest that the accord was not established in order 'to promote effective civilian administration'. Rather, it would appear that the NPN negotiated for accord with other political parties because it did not control majority power in the National Assembly. The NPN was very conscious that it needed at least a simple majority in the National Assembly for it to be able to consolidate its control of the federal government.

It was falsely assumed in the working agreement that there was no senior partner in the accord. However, after the ministerial nominees and the election of the National Assembly leaders had received the blessing of the simple majority of the National Assembly in the spirit of the NPN-NPP accord, the accord started heading for a collapse, and eventually collapsed.

On the other hand, the NPP governors collaborated with the governors of other political parties that refused to enter into accord with the NPN. The NPN considered this a betrayal of the spirit of the accord. The NPP on its part did not consider its governors' association with the governors of other political parties as a violation of the spirit of the accord because the working agreement did not include the operations of the state governments.



Moreover, the NPP was afraid that the NPN would use the forum created by the accord to win over some of its key figures. Iwere (1981) rightly observed that 'the hand-writings were already on the wall. Beside, some NPP federal law makers like Senator Nathaniel Anah voting on the side of the NPN, prominent NPP members like Vincent Ikeotuonye, Mathew Mbu, Michael Ogon and Brigadier Benjamin Adekunle (rtd) had decamped to the NPN. Not to add former NPP Minister, Chief Eteng Okoi-Obuli'.<sup>1</sup> Thus, the struggle for survival and dominance appear to be responsible for the collapse of the accord. This suggest that party interest was a critical factor in the management of the government of the Second Republic.

The critical question that may be asked at this juncture is, why were political parties very effective in controlling the activities of those in power. The answer is partly rooted in the electoral provision of the 1979 constitution of the Federal Republic of Nigeria, and the private-regarding calculations of both those in power and those who aspired for political offices. For instance, S. 201 of the constitution states inter alia:

"No association other than a political party shall canvass for votes for any candidate at any election or contribute to the funds of any political party or to the election expenses of any candidate at an election."

By this provision, political aspirants can only realize

their political ambition through the instrumentality of a political party. Consequently, not many political aspirants or those in power could afford to disagree with their party. In fact, some of those who disputed with their party ended up either decamping to other parties or retiring, at least for a period, from active politics. In the final analysis, it would appear that the personal ambition of aspirants to political offices and those already in power were intricately tied up with the interests of the political parties, defined in terms of the interests of the party 'strong men' who constituted the caucus of the various political parties. Its principal effect was the over-riding influence of political parties and the personal interests of the political actors in the business of government. The two major effects of this phenomenon were (a) subversion of the checks and balances expected to exist between the three arms of government and the exploitation of the state by its custodians which resulted from the favourable condition created by the subversion referred to above.

#### THE LEGISLATURE AND CORRUPTION

The executive organ is not the only arm of the government that involve itself in political corruption. It is gain saying that through the executive implimentation of the government policies the political office holders and other executive officers can misuse the state power. Other arm

such as the legislature whose responsibilities include among others to make law, due collaborate to enrich themselves by subverting the constitutional checks and balances. The organ that is directly involved in the execution of government policies may just be an accomplice in the exploitation of the state.

The involvement of Legislators in the exploitation of the state in the Second Republic of Nigeria reveals a lot with regard to the primary goal of several people who contest for political offices in Nigeria. Senator Olusola Saraki is quoted to have remarked: '... we are all elected here for a purpose. The foremost is that we are here to ameliorate the poor conditions of our people.'<sup>2</sup> This remark plausibly summarizes the opinions of the generality of Nigerians with regard to the role of Legislators. However, the results of probes on the government of the Second Republic of Nigeria lucidly suggest that many Legislators abandoned their official responsibilities, and rather used their offices to acquire wealth for themselves.

The early sessions of the National Assembly and state Legislatures appeared to have been devoted to taking decisions on the comfort of the Legislators. The Legislators focused on their salary structure and, in this course provided for themselves a salary structure that contradicted the economic realities of the Nigerian society.

We shall now examine in detail some of the cases of abuse of state power involving the Legislators.

CONSTITUENCY ALLOWANCE: It was considered important that the Legislators would maintain a functional link with their constituents. Consequently, constituency allowance was provided for the Legislators so that they could rent constituency offices, and recruit staff for that purpose. The Legislators collected constituency allowance accordingly. However, many Legislators collected constituency allowance without establishing constituency offices. It had been reported that in 1983, 37.0% of the constituencies in Anambra State asserted categorically that their representatives did not establish any constituency office, while 52.8% could not tell whether their representatives established constituency offices.<sup>3</sup> The seriousness of this point may be understood if we realize that a large number of university graduates in the sample population shared this opinion. 40% of the graduates responded outrightly that their representatives did not establish constituency offices while 45% could not tell whether any constituency office was established.

The failure of a significant majority of the First Term Legislators in Anambra State to establish constituency offices despite the allowances they collected appears to have

been partly in accordance with their role perception. We used four role typologies - Trustee, Delegate, Politicos and Party Agent in classifying the Legislators. Legislators who preferred the Trustee role contended that they did not need to consult their constituents on their possible line of action in the legislative business, while those who preferred the Delegate role argued that Legislators would depend on the opinions of their constituents in the legislative business. The Politicos role type is a middle course between the two. In this wise, consultation or otherwise would depend on the nature of the issue on the floor of the House. The party agent role type depends on party directives.

The result of the questions posed to both the Legislators and the constituents to elicit their role style preferences was as follows:

Table IV.

PREFERENCES	LEGISLATORS	CONSTITUENTS
Trustee	48.8%	2.7%
Delegates	9.8%	69.7%
Politicos	31.6%	26.3%
Party Agent	9.8%	1.3%
Total	100.0%	100.0%

Source: I.C. Okoye. Legislators and Representation: A Case Study of the 1979-83 Anambra State Legislators (Unpublished M.Sc Thesis, UNN 1983), p. 139.

It would appear clear from table iv that the majority of the Legislators did not consider it important consulting their constituents. This, therefore, raises a fundamental question: why did they approve and collect constituency allowance, when, in fact, consultation with the constituents was not considered necessary? The answer would appear to be that constituency allowance was created by the Legislators as a means of enriching themselves. The fact that the constituency allowance included rent for constituency office, and salaries of workers tends to suggest that millions of naira must have been misappropriated through this means.

Owner/Occupier in Government Houses for Legislators:

The Military Government which handed over the mantle of leadership to the governments of the Second Republic made arrangements for residential accommodation for both the political Executive and Legislators. In 1979, the then Anambra State (Now Enugu/Anambra State) outgoing Military Government requested the State Housing Development Corporation to sell a number of houses to the government to serve as quarters for the incoming Legislators.<sup>4</sup> In response to the Military government's request, the State Housing Development Corporation sold twenty units of C3/08 type houses at ₦29,500.00 each. According to the General Manager of the Housing Development Corporation, Engr. J.C. Okeke, these

houses were assigned to the then Government of Anambra state. Assignment Deed was registered at No. 51/51/1045 Enugu. One additional unit of C3/08 was also sold to the Government at ₦45,000.00 after the assignment of the sixty units to the Government.<sup>5</sup> He noted that between 1979 and 1981, the government of Anambra (now Enugu/Anambra) state fully paid the State Housing Development Corporation for the sixty-one units.

In 1981, the State government decided to let the Legislators have sixty units of the houses on owner/occupier basis. This, therefore, prompted the need to build additional twenty-seven houses for the Legislators who are not accommodated in the units earlier allocated to the Legislators. The State Housing Development Corporation was accordingly ordered by the State government to build the additional twenty-seven units.

Okeke stated that 'the State Housing Development Corporation was ordered by the Executive to offer the houses to the ex-legislators at the following prices: C3/08 at ₦36,054.00 each, and C3/09 at ₦24,776.00 each.'<sup>6</sup>

Although the State Housing Development Corporation was not involved in the decision to give the houses to the ex-legislators on owner/occupier basis, the selling prices,

and the method of allocating the houses to the buyers, it was ordered by the government to enter into mortgage agreement with the ex-legislators in order to recover the money to be paid by them on behalf of the government. The government signed a Deed of Surrender registered as No. 5/5/1084 'whereby the government transferred the ownership of the sixty houses to the Housing Development Corporation a layout map of the area where these houses were being constructed and went ahead to allocate them in the layout to the ex-legislators.<sup>8</sup> As was also the case in the decision to sell houses to the ex-legislators, the ex-Speaker did not involve the Housing Development Corporation in the decision to allocate the layout to the ex-legislators.

In the reply to Okeke's letter from the Ministry of Works, Lands and Transport, Arc. C.U. Anozie who replied on behalf of the Permanent Secretary succinctly stated:

... for the C3/08 type houses, Government spent about ₦19,268.00 to furnish each for the State Legislators. In addition to furnishing the C3/09 houses, other types of works were executed in each of the quarters. These are boys' quarters/ kitchen extensions, burglar-proofing and propping up of the varanda canopies. The cost of these total about ₦19,350.00 for each of the C3/09 quarters.<sup>9</sup>

Anozie's letter suggests that at the completion of both the building and furnishing of the sixty units of the legislators' houses, each of the C3/08 type stood at



₦64,268.00 while each of the C3/09 type stood at ₦48,858.00. It is difficult to imagine what could be regarded as the cogent reasons why the political Executive decided to sell houses valued at ₦64,268.00 and ₦48,858.00 at ₦36,054.00 and ₦24,776.00 respectively to the legislators. By this singular act, the state government lost the sum of ₦1,527,560.00. Furthermore, it is important to note that although the Housing Development Corporation did not hand over keys of the completed additional units to the Legislators, the government expended large sum of money on the projects without calculating the overall financial implications on the state.

Although it is difficult to make categorical assertions on the reasons why the political Executive could afford to sacrifice the sum of ₦1,527,560.00 in order to satisfy the legislators at the expense of the people, the whole exercise tends to suggest that some shady transactions must have taken place between the legislators and the Political Executive. In other words, the decision to sell the legislators' houses to them on owner-occupeir basis and the prices tagged by the political Executive for the sales cast doubts as to the honesty of the people involved in the whole exercise.

The then Anambra State legislators were not alone in shady deals involving legislators. Similar cases have been

reported both in other state legislatures and in the National Assembly. For instance, Agbese (1985) reported that in the Inter Parliamentary Union (IPU) meeting held in Oslo, Norway in 1981, Idris Ibrahim, the Deputy Speaker of the House of Representatives, and a member of the party in control of the Federal Executive, unilaterally offered that Nigeria would host the IPU conference in 1982.<sup>10</sup> The proposal generated a heated debate in the National Assembly. Nevertheless, after a period of intensive lobbying the 'ayes' eventually had it. Consequently, a National Assembly Committee was set up. Sub-Committees were subsequently set up. ₦6 million was initially voted for the conference and contracts were accordingly awarded.

The sub-committee on transport approved ₦2,774,000.00 for the transportation needs of delegates and officials during the conference. The money was budgeted for the purchase of 50 2-seater buses, 50 15-seater buses, 100 peugeot 505 saloon cars, 15 delivery vans and 22 motor-cycles. The sub-committee on hotel accommodation and catering services voted ₦86,904.71 for 'refurbishing of members' lounge, construction of terraces and refreshment structures, and the construction of a kitchen where food for drivers and other junior staff would be prepared during the conference.<sup>12</sup> The Committee also provided two suya stands at a total cost of ₦6,000.00. Similarly, about

₦300,000.00 was allegedly spent on the Badagry Beach to prepare the place for Sunday afternoon relaxation for the conference participants.

These expenditures created the legislators avenues for self-enrichment. Agbese in the Newswatch of August 5, 1985, noted that many of the vehicles purchased for the conference disappeared during and after the conference while many items that were allegedly paid for were not supplied. Several others that were supplied were pilfered. A thorough auditing of all the expenditures made for the IPU conference will definitely unravel the colossal mis-appropriation that characterized the entire exercise.

#### Legislators and Government Contracts:

Government contracts provided the legislators ample opportunities for self-enrichment. The political Executive probably awarded contracts to Legislators as patronage. The problem with the contracts awarded to the Legislators appears to be underpinned in the manner of awarding and costing of the contracts. Generally, the Legislators collaborated with people who fronted for them. These people's names were used in the application for government contracts while the Legislators themselves negotiated for the contracts. When the contract awards were made, the Legislators themselves determined whether the contract would be executed or not, and how the proceeds would be distributed. The following table will throw some light on these points:

Table V

EXERPT OF AWOTE PANEL REPORT FROM THE THEN ANAMBRA  
(NOW ENUGU/ANAMBRA) LEGISLATORS AND GOVERNMENT CONTRACTS

S/No	CONTRACTORS	CASE	AWOTE PANEL'S FINDINGS
1.	P. Ape (Ape and Sons)	Collected mobilization fee of ₦60,000, but did not execute the contract.	Ape paid the money to 6 Legislators for whom he fronted
2.	S. Uzuakor (represented Uchechijebere and Company)	Collected ₦30,000 for job not done	6 Legislators were involved in the deal
3.	F.C. Nwofor: ex-legislator (Dalleth (Nig) Ltd.)	Collected ₦50,000 for five contracts. Only one of the contracts was executed	4 of the contracts valued at ₦40,000 not executed
4.	A.U. Asogwa	Collected ₦70,000 for 7 contracts. 2 of which were 20% executed	Money handed over to two Legislators
5.	D.O. Ngene: ex-legislator (Chumoke Enterprises)	Collected ₦50,000 Job not done	Shared the money with 68 legislators
6.	Nnaeto: ex-legislator (Vanorg Company)	Collected ₦60,000 for jobs not done	₦10,000 paid to NSO: ₦10,000 given to Mr. Ede, also an ex-legislator. Thus Nnaeto and Ede shared the money
7.	Mr. A.A. Obuna: ex-legislator (GOAS (NIG) Ltd).	₦50,000 contract money collected, work done valued at 25,000	Work valued at ₦25,000 left outstanding
8.	Mrs. M. Ngwu (SHAMA Construction Company)	₦40,000 collected for 4 contracts Work done valued at 20% on 2 of the contracts.	Money handed to legislators for whom she fronted
9.	Fred Unigwe: ex-legislator (UNIFESS ltd)	₦40,000 for 4 contracts. Work not done	Confirmed the Case

Source: Awote panel Report on the Recovery of Public Funds and Property, pp. 1 - 24.

It is important to note that table 4.3 presents sample cases. Several other such cases abound. In cases in which we merely wrote '6 legislators', '2 legislators',<sup>13</sup> as the case may be, we merely used this system for convenience. The actual names of the legislators involved are contained in the Awote Report.

The involvement of the Legislators in the scramble for self-enrichment and the constitutional privilege of political parties as the basis for contesting for political offices, immensely affected the performance of the Legislators. The Executive extensively used contract awards and such other patronages like allocation of plots and distributorship to lure some of the Legislators into dancing to its tune; while the political parties on the basis of the controlling power they had over their members appeared to have influenced certain behaviours of their members in the Legislature. It is plausibly in this light that Senator A.D. Rufai remarked: 'the political parties and the executive dictated to the Legislators. We were not free',<sup>14</sup> In a similar vein, David Attah, an NPP member of the House of Representatives asserted that in a situation where money politics was the order of the day and the executives' men had the patronage bags which they doled out, any one who did not comply was deprived'.<sup>15</sup>

Many Legislators could not afford to reject patronages from the Executive because they were afforded what really attracted them into politics - acquisition of material wealth. In the face of this situation, the constitutional provisions for checks and balances in government were thrown overboard. This circumstance appeared to have given the Executive opportunities for using state power in satisfying private-regarding interests without restraint.

#### The Executive and Corruption

The Executive is often looked upon as the heart of governmental activities. It is the Executive that really brings into reality government policies which invariably determine the amenities that would be provided for the set-ups of government. Thus, while the legislature, and military policy-making organs come and go, the bureaucracy remains, although, sometimes, with some changes in the leadership. Considering the apparent stability of the bureaucracy in the face of governmental instability in Nigeria, and its critical role in governmental administration, there is need for non-politicization of the bureaucracy. In the face of instability in the Executive-military and civilian, and the legislature, the bureaucracy appears to be looked upon for direction. This may partly explain

Gowon's immense reliance on Federal Permanent Secretaries in his regime.

S.188(2) (a)-(d) of the 1979 Federal Constitution of Nigeria empowers a state Governor to make the following appointments:

- (a) Secretary to the Government of the State;
- (b) Head of the State Civil Service;
- (c) Permanent Secretary or other Chief Executive in any ministry or department of government of the state howsoever designated; and
- (d) any office on the personal staff of the Governor.

S.188(3) and (4) caution: 'An appointment to the office of Head of the Civil Service of a State shall not be made except from among the members of the civil service of any state or of the federation; and 'In exercising his powers of appointment under this section, the Governor shall have regard to the diversity of the people within the state and the need to promote national unity.

Shortly after his assumption of office as Governor of the then Anambra State, Nwobodo appointed new permanent secretaries and redeployed some of those who were already permanent secretaries in the state. Those appointed by the governor include: Dr. O. Nwuneli, Dr. F. Ogah, Dr. Gbaneite, and Mr. R. Okenwa. This appointment did not recognise

seniority in the civil service. None of the appointees was a career civil servant. With the exception of Dr. Nwuneli, other appointees accepted the offer. By accepting the appointment, a fundamental question was raised; why did the Governor appoint only people from the geographical area known as 'Anambra North' for the position of Permanent Secretary? Anambra State has for long been plagued by the unhealthy rivalry that often existed between the two divisions of the State often described as 'Anambra North' and 'Anambra South'. Nwobodo is from the so-called Anambra North. Thus, the appointment of only people from Anambra North for the post of Permanent Secretary tends to give room for a lot of suspicion. It tends to suggest that the permanent secretaries appointed by Nwobodo were appointed to serve sectional interest.

The office of Secretary to the Government was occupied by Mr. Paul Egbogu, also from the same geographical area with the Governor, while the Head of Service, Mr. V. Aniagoh, from Anambra South, was a career civil servant. Subsequent developments would appear to suggest that Nwobodo appointed Egbogu to serve as Secretary to that State Government because of geographical affinity. This point is supported by the way they collaborated in massive exploitation of the state, as will be shown later. Egbogu's collaboration with the



Executive in the exploitation of the state may not be considered as surprise package. Since he was not a career civil servant, he most likely considered his fate completely tied to the regime that appointed him.

With the entrenchment of sectionalism in the hierarchy of the civil service, confrontational posture was encouraged. Recruitment and promotions were in turn affected by sectional interests. In this regard, Nwankwo (1982) asserted that 'For the first time in the history of the Nigerian civil service, mass promotions and retrenchment of whole ministries were based solely on geographical considerations'.<sup>16</sup>

Executive interference on the bureaucracy also extended to the parastatals. Premier Brewery at Onitsha provides a case in point.

Some Senior Management Staff of the Premier Brewery<sup>17</sup> claimed that shortly after assumption of office, Nwobodo's administration dissolved the Board of Premier Brewery (PB) and appointed new members on the following basis: one from each of the senatorial zones; one representative each for Nigeria Bank for Commerce and Industries (NBCI), and Nigeria Industrial Bank (NIDB). Chief Emeka Nnaji was appointed chairman of the Board. The four senatorial zones were represented by Onoja Ifejika (Awka); S. Anyigor (Abakaliki); C.N. Ezea (Nsukka), and Azikiwe (Onitsha). Messrs Ugochukwu

and L. Ileka respectively represented the NBCI and NIDB. With the exception of the representatives of the banks, the chairman and other members of the Board were unequivocally recognised to be in the good books of the NPP.

Appointment of distributors for PB also followed similar trend. Investigations at the PB office, Onitsha, showed that the government did not appoint new distributors immediately after dissolving the erstwhile existing Board. Rather, the Executive took over the sale of Premier beer through top NPP functionaries for about six months. The party members in charge of beer distribution were said to have dished out papers for subletting the PB products to people, especially well known party members. Moreover, it was alleged that appointment papers signed by the management of PB were demanded for at the Government House, Enugu. Party supporters and relatives of some of the people in power collected such papers from the party agents and then used them in collecting some quantities of beer from the factory.

One remarkable feature of this transaction was that several people who were given appointment papers for PB products were not people in the beer trade. Some of them collected the quota approved for them, and sold them instantly to the actual beer dealers who paraded around the beer factory,

hunting for such sales. The researcher was also informed that most of the party men supplied with PB products collected them without submitting to the PB Management empty bottles as is the tradition of the company. This, therefore, had adverse effect on the capital of the company.

Before the emergence of the Nwobodo administration in 1979, PB had less than 1,000 distributors. When Nwobodo administration appointed distributors, it appointed more than 3,000 distributors. The government further pressed for high production so as to satisfy the demands of the distributors and Government requisitions. It was discovered that the number of the PB distributors was increased with a view to expanding avenues for party patronage.

Undue changes were effected in the management. Some senior management staff were sent on indefinite leave, some redeployed to the depots and replaced with people who represented party and sectional interests.

Having succeeded in penetrating into the management and the marketing system, the Executive found it easy manipulating the company without resistance. Moreover, the legislators who would have called the Executive to order were deeply involved in the scramble for PB products. Thus, the Board members and the Executive had their way in the company.

It was not surprising, therefore, that the debt which the Company owed the Department of Customs and Excise at a stage accumulated to ₦11 million. This invariably led to a temporary closure of the Company as a result of the action of the Staff of Customs and Excise who arrived at the PB Headquarters at Onitsha and sealed the Company from further productions until the debt owed the Department was paid. A document submitted to the Commission of Inquiry on the Central Investment Company Limited shows that between 1979 and 1983, the Board of PB made donations of about ₦1,073,694.00 to different groups, including the government.<sup>18</sup> Government owed the Company over ₦300,000.00, while about ₦2.3 million was owed by people who could not be identified, but who, of course, were known to have got their appointment papers from the Executive and its agents.

Other state parastatals like the Vanguard Industries Limited and Nigerian Cement Company Limited, Nkalagu, also had similar experiences. Their governing boards were dissolved and replaced with members of the ruling party. Government, through its planted agents in the parastatals, interfered with the staffing and business transactions of the parastatals. While Vanguard Industries Limited recorded a net loss of ₦140,000.00 between July and December 1981, and as a result of this financial deterioration, could not

complete the major orders it received at this period, the Acting Factory Manager having emerged out of the womb of party interest, threw aside the poor financial condition of the Company to undertake complete interior decoration and furnishing of a house at Obe owned by Mr. Paul Egbogu, the then secretary to the government.<sup>19</sup> One striking point about this deal was the dubious way Vanguard was brought into this deal. One Mr. Anthony Owo purportedly placed order for the furnishing of the house at Obe. In the face of the shady deal, the Financial Manager of Vanguard reported that there was no record of assessment of work to be done in the house, 'no deposit or undertaking to pay was given, no record of the materials supposedly provided by the customer was evident, and no information about the order was given to any members of the management'.<sup>20</sup> It was, in fact, after the job had been completed that it became known that the Company was exploited to satisfy the personal interest of the Secretary to the government.<sup>21</sup>

Nigerian Cement Company Limited (Nigercem) suffered similar fate. Party men were made members of the Board created by the Nwobodo administration. As was the case under Asika, the Company was exploited without restraint. Cement is one of the products that is always in high demand in Nigeria. Thus, party members and relatives of those who exercised state power spared nothing in the scramble for cement distributorship.

Just how much cement left the warehouses by fraudulent means is reflected in the fact that, as at the end of March 1981, the Company Accounts showed a loss of ₦5 million.<sup>22</sup> Seven months later when Nigercem was temporarily closed by the State Government, the government announced that the financial loss in the Company had risen to ₦32 million.<sup>23</sup>

In addition to the financial strangulation of the parastatals resulting from unrestrained misappropriation of their finances, the use of party affiliation and other parochial ties as basis for recruitment and promotions did not only affect the quality of staff of the parastatals, but also created confrontational structures along party, ethnic, and sectional lines.

### Contract

Contract award provided the Executive of the Second Republic ample opportunities for massive exploitation of the state. Communities demanded for good roads, pipe borne water, and other facilities from the government. The Chief Executive and his political assistants also made pledges to the electorate in the course of their electioneering campaigns. Thus, as if in response to the people's demands, and fulfilment of campaign pledges, the government awarded several contracts. Increase in revenue accruing from oil placed both the Federal and State Governments in favourable condition for large scale contract awards. Available data suggest that the government of the

Second Republic earned more revenue from oil than other governments in Nigeria since 1958. The following table highlights this point:

Table VI  
OIL SALES IN NIGERIA, 1958 - 1983

S/No.	YEAR	N
1.	Between 1958 and	66,000.000
2.	1966 - 1975	11,856,000.000
3.	1976	4,834,000.000
4.	1977	5,333,300.000
5.	1978	4,333,300.000
6.	1979	8,833,300.000
7.	1980	13,571,000.000
8.	1981	9,602,980.000
9.	1982	12,911,975.000
10.	1983	7,507,226,110

Source: Adedipe, S. "Shehu's Government made ₦43.6 billion from oil sales." Sunday Concord, 5/12/84.

It was also noted that when Alhaji Shehu Shagari ascended the mantle of leadership as Nigeria's head of state of Second Republic on Monday, October 1, 1979, Nigeria's foreign reserves stood at ₦2.3bn. The report also stated that within the four years of his leadership, Nigeria earned

about ₦40.5 bn in foreign exchange as follows:

1980	-	13.7 billion
1981	-	10.7 billion
1982	-	8.9 billion
1983	-	7.2 billion

The report further stated that by Saturday, December 31, 1983, just 51 months later, Nigeria's external reserves had vanished leaving the country with external debt of ₦10.21 billion. But Bakr (1986) reported a higher figure by stating that as at December 1983, the country's external debts stood at about ₦20 billion.<sup>24</sup> The reports according to a concerned citizen queried "where has all the money gone".<sup>25</sup>

Possibly, answer to the disappearance of Nigeria's foreign reserves during the Second Republic might be a diversion not only by the Chief executives, but by other top government officials. For instance, a Federal Minister during the Second Republic, Alhaji Umaru Diko as we had earlier stated, was alleged to have doled out ₦10 bn from Nigeria's Public Fund.<sup>26</sup> The money was said to have been shared as follows:

- ₦72.4m meant for Presidential Task Force for the importation of Rice (PTF).
- U.K. £120m scandalously catered away with Alhaji Saleh Jumbo.



- ₦329.1m Fougerolle Ajaokuta Steel Contract and the 10% bribe which was distributed to Second Republic politicians as follows:

- |                         |                          |
|-------------------------|--------------------------|
| (a) Dr. Olusola Saraki  | - ₦4.5m                  |
| (b) Maitama Bello Yusuf | - ₦1.4m                  |
| (c) Adisa Akinloye      | - ₦500,000 + US\$750,000 |
| (d) Umaru Dikko         | - ₦1m + US\$300,000      |
| (e) Suleman Takuma      | - ₦.2m                   |

- .m300,000 barrels of Illegal Crude Oil deal with his late brother, Yahaya Dikko in the celebrated ₦10.4bn German Klaus Seemith Oil Scandal.

.m20.4 Herma Construction of Abakaliki-Afikpo-Ohafia Road project by Felix Ayinatu and those bribed:

- |                     |                      |
|---------------------|----------------------|
| Late Sunday Essang  | - ₦.2m               |
| Mr. Victor Masi     | - ₦1m                |
| Mr. Emmanuel Osamor | - ₦.3m               |
| Mr. Umaru Dikko     | - ₦.4m <sup>26</sup> |

The effects of the above information featured prominently in the then Anambra State Government in that several contracting firms suddenly emerged, some of which were actually owned by top government functionaries, but managed by people who fronted for them.

Awote Panel Report revealed enormous irregularities in contract award in Anambra State and the consequent misappropriation they engendered. Some examples are necessary to

substantiate this point.

Allgemein Bau Construction Company Limited was awarded contract for the construction of roads at Trans-Nkissi Layout, Onitsha, in respect of which it received ₦350,000.00 mobilization fee but failed to perform any work until after the Madu Committee had started investigations on the contract. In the submissions made by representatives of the Ministry of Works, Lands and Transport, it was reported that:

- (a) the contract was of a magnitude that should have been referred to the State Tenders Board but was single-handedly awarded by the then Commissioner for Lands, Survey and Town Planning, Mr. Justin Mbam Ogodo.
- (b) the Ministry had no Contract Agreement in respect of the work.<sup>27</sup>

By the end of the Madu Committee's investigations, the Company had virtually completed work on the bridge. The work done was valued at only ₦45,702.50 as against the sum of ₦350,000.00 collected as mobilization fee. This, therefore, implies that the sum of ₦304,297.50 was excess payment for the contract.<sup>28</sup>

Similarly, the then Commissioner for Chieftaincy Matters, Chief F.C. Okoro, was held to have asked Mr. Joseph Ogbodo, Managing Director of Small Joe Enterprises

to apply for the supply of vehicles to his ministry. Madu Committee drew attention to the contract order of ₦619,301.00, a contract above the limit for Ministerial Tenders Board, and was awarded by the Ministry of Chieftaincy Matters instead of by the State Tenders Board. No contract agreement was made. The only financial reference available to the Madu Committee was an Invoice by the Contractor, stating the prices at which some of the cars were supplied. For example, the Invoice recorded that a Peugeot 504 SR and a 504 GR were sold to the Ministry at a cost of ₦21,250.00 each in 1982, while the market price of the cars in 1982 was estimated at ₦16,000.00. On this premise, it was discovered that for the entire contract value of ₦619,301.00, there was about ₦153,000.00 excess payment.<sup>29</sup>

Awote Panel also noted that top government officials established private companies with the aid of people who fronted for them. Probably, the most dramatized case was the Messrs Greenfield Construction Company. This Company was awarded large scale contracts even when it did not put in formal application for contracts, and very often received overpayment of the value of the contract as shown in the following table.

Table VII

## UNDER/OVERPAYMENT TO GREENFIELD

S/No.	Contract No.	Description of Contract	TOTAL VALUE OF WORK DONE CERTIFIED FOR PAYMENT	TOTAL PAYMENT TO DATE	OVER/UNDER PAYMENT
1.	ANW/R5/81	Construction of Awka-Aguleri Road (31 km road with 7.3m width). Contract sum of ₦9,676,123.98	₦2,797.65 (Including Retention)	₦3,145,912.36	₦348,585.71 (overpayment)
2.	ANW/R12/81	Construction of Permanent Bridge over River Anambra. Contract sum of ₦10,890,596.16	Nil	₦2,178,119.26	₦2,178,119.26 (Overpayment)
3.	ANW/R13/81	Construction of Amechi-Agbanl Road. Contract sum of ₦13,396,364.16	₦3,090,849. (Including Retention)	₦2,587,969.10	₦502,880.77 (Underpayment)
4.	ANW/R14/81	Construction of Nenwe-Nome Road. Contract sum of ₦17,774,304.15	₦556,016.	₦3,554,869.83	₦2,998,844.01 (overpayment)
5.	ANW/R15/81	Construction of Permanent Bridge & Fly-over across the Expressway at Trans-Ekulu ₦4,294,470.00	Nil	₦858,894.00	₦858,894.00 (overpayment)

NET OVERPAYMENT

₦5,881,562.21

Of importance also is that the five contracts awarded to Greenfield on which it received an overpayment of ₦5,881,562.21 was awarded either contrary to the recommendation of the Tenders Board or did not go through the Tenders Board, as shown below:

Table VIII: TENDERS BOARD AND CONTRACTS TO GREENFIELD

ROADS	TENDERS PROCEDURE	CONTRACTOR RECOMMENDED BY TENDERS BOARD	CONTRACTOR AWARDED CONTRACT
Awka-Aguleri ANW/R5/81	Public Tender	1) C. Ikezue & Co. 2) Coastcon (Nig.) Ltd 3) Gtampaoli Co.	Greenfield
Permanent Bridge over River Anambra ANW/R12/81	Did not go through Tender	-	Greenfield
Amechi-Amodu Agbani ANW/R13/81	Nominated Tender	-	Greenfield
Nenwe-Nomah ANW/R14/81	Public Tender	1) R.C.C. 2) P.W.Co. 3) Benomi	Greenfield
Permanent Bridge & Flyover across Expressway at Trans-Ekulu ANW/R15/81	Did not go through Tenders Board	-	Greenfield

Source: Awote Panel Report: Appendix, p. 17.

The involvement of Greenfield in large scale government contracts and the consistent overpayment made to it

compelled Awote Panel to undertake unravelling the owners of Greenfield. Despite the large scale contracts awarded to the Company, it was found difficult detecting the owners. The truth about the case started emerging when Chief Malachy Ezeilo (Nwobodo's Commissioner for Works) informed the Panel that the Principal Directors of Greenfield were an Asian Canadian named Nooreddin Valimahomed and Mr. Joseph Ogbodo.<sup>30</sup>

After much pressure on Ogbodo, he declared that he had 'suffered enough on account of the Greenfield affair'; and then declared that:

- (a) he (Mr. Joseph Ogbodo) was a representative of Chief Jim Nwobodo on the Board of Greenfield;
- (b) Barrister Maxwell Onyeukwu represented Chief Malachy Ezeilo; and
- (c) Mr. Harrison Onwudiwe was representing the interest of Dr. Edwin Onwudiwe in the Company.<sup>31</sup>

After further investigations, the Panel finally concluded that the actual owners of Greenfield were:

- (a) Mr. Shamji of Gomba U.K. Group whose interests Mr. Nooreddin Valimahomed represented;
- (b) Chief Jim I. Nwobodo whose interests were represented in the Company by Mr. Joseph Ogbodo (alias Small Joe), Managing Director of Small Joe Enterprises Limited;

(c) Mr. Ben Osy Umunna, A Nigerian based in London.<sup>32</sup>

These findings tend to explain why Greenfield was given special consideration in the list of contractors favoured by the government. This goes to suggest that sometimes contracts were awarded to a body or contractors who did not at all put in tenders for the contract.

Manipulation of Government Treasury:

Another technique adopted by the governing class in enriching themselves and their clients was the direct manipulation of government treasury and the opening of 'ghost' accounts under the shadow of the government. For example, a case was made to the effect that Nwobodo transferred the sum of ₦420,000.00 from the state government account to the NPP, through the National Chairman of the Party, Chief Adeniran Ogunsanya. In the Uwani Pay Office Voucher No. 398 of August 1981 in which request for the money was made, and signed by the Assistant Director for Budget, Dr. M.O. Ude, it was claimed that the money was needed to fulfil the promise made by Nwobodo. The withdrawal was characterized with a lot of intrigues. According to Awote Panel:

The payment voucher was charged to Head 2211 - Governor's office, sub-head 18 - Relief Fund for Emergencies/ Local Disasters. Uwani Pay Office

A.C.B. Limited Cheque No. 43/HC2864 of 18th August 1981 for ₦420,000.00 with PV No. 398 written on it, in the name of Adeniran Ogunsanya was made out signed by the Pay Officer, Uwani Pay Office and was later cancelled and replaced with African Continental Bank Limited Cheque No. 43/HC28280 of 18th August 1981 for ₦420,000.00 in the name of Assistant Director of Budget with PV 398 again written on it. Entry in the Uwani Pay Office cash Book against PV 398 of August 1981 showed Chief Adeniran Ogunsanya as the payee. Cheque No. 43/HC28280 restrictively crossed 'not Negotiable A/C Payee Only' was opened with the instruction, 'please pay Cash' signed by both the Pay Officer and his Cashier.<sup>33</sup>

After chains of manipuaations, the sum of ₦420,000.00 was eventually collected by Mr. L.E. Agu, Senior Budget Examiner on August 19, 1981. The money was later received by Chief Adeniran Ogunsanya on behalf of the NPP.<sup>34</sup>

A similar strategy was adopted when the payment of ₦250,000.00 was made to the NPP. In this regard, payment of the sum of ₦250,000.00 was made with the description: 'being payment to Principal Secretary as directed by the Director of Budget'. The Panel discovered that neither the Principal Secretary to the Governor nor the Director of Budget signed the voucher as receiver. It observed that liquid correction fluid was used to erase the name of the Payee both in the Payee section and in the particulars of service rendered/goods supplied section of the voucher superimposing 'the principal Secretary to the Governor'



and 'Principal Secretary' respectively. A further critical scrutiny revealed that 'what was erased in the front of the voucher was typewritten 'Chief Adeniran Ogunsanya, Surulere - Lagos', and in the particulars section, 'Chief Adeniran Ogunsanya', before the handwritten superimposition.

In the defence of the Assistant Director of Budget, Dr. Ude, he claimed that he merely carried out instruction from the Governor, while Mr. Agu in turn stated that he merely carried out instructions from his immediate boss, Dr. Ude. Chief Ogunsanya accepted that he received the sum of ₦670,000.00 from Anambra State. He claimed that he considered it as donations from NPP members in Anambra State. Nwobodo's defence Counsel, Chief Ezeofor, informed the Panel that Nwobodo accepted responsibility for the payment of ₦670,000.00 to NPP. He, however, tried to suggest that 'this was done in good faith by his client because his client had the intention of paying the said sum back into the Anambra State Government's coffer as soon as donations were received from the members of the state wing who were then aware of the bad financial state of the party'.<sup>35</sup>

This case highlights the collaboration of political parties with their members in power in exploiting the government. The practice was not limited to the NPP, and

the government of Anambra State. For instance, Olabisi Onabanjo, former Governor of Ogun State was found guilty of enriching the Unity Party of Nigeria (UPN) by causing to be paid to the party the sum of ₦2.8 million, an amount representing 10 percent of the contract awarded to a French Construction Company, Bougues Nigeria Limited for the construction of the 'Great Nigeria House'.<sup>35</sup> Barkin Zuwo, former Governor of Kano State, was found guilty of enriching himself and his former party, People's Redemption Party (PRP), by demanding and receiving the sum of ₦1000,000.00 from a Bulgarian Firm, Electro Implex, which handled the rural electrification project of Kano State.<sup>36</sup> The National Party of Nigeria (NPN) was said to have received a kickback of ₦1.5 million from Hammer Construction Company for a road contract awarded by the Federal government in 1981.

Direct manipulation of government accounts and kick-back from contracts appear to have been the two major means of exploiting the government that occurred in the Second Republic of Nigeria. In this way, the political leaders acquired so much wealth which they expended, sometimes, without any sense of responsibility. For example, in the News Agency of Nigeria (NAN) News Service of Sunday, March 31, 1985 it was reported that Alhaji Abubakar Barde, former governor of Gongola State bought clothes worth ₦28,000.00 for Christmas celebration in 1981, and clothes worth ₦25,000.00 for Sallah

celebration in 1982. In this light, Lt. Col. Y.Y. Madaki is quoted to have told Alli, former governor of Bendel State; 'You awarded water contract for your people because you needed money for yourself'.<sup>37</sup>

As a result of the wealth which the political leaders massively amassed, they opened 'ghost' accounts which not only helped in concealing some of their dubious transactions, but further helped them in manipulating government treasury. For example, Nwobodo and Egbogu opened 'ghost' accounts in banks, including the African Continental Bank (ACB), Ogui Road, Enugu, where they lodged in the name of J. Johnson the sum of ₦1,002,295.00; ₦850,000.00, and ₦198,000.00. Other lodgements of ₦1 million and ₦100,000.00 were said to have been made in the name of T. Nnamani. A third account was opened in the name of Theophilus Okafor Chukwu.

Nwobodo was found to have made withdrawals from the accounts for self-regarding purposes. The withdrawals include:

- (a) ₦3000,000.00 withdrawal from one of the J. Johnson accounts;
- (b) ₦1,868,000.00 paid to John Nwobodo account;
- (c) ₦32,000.00 paid to Jupiter Publishers Limited;

(d) ₦300,000.00 withdrawn from the Ogbete account and paid to Chief Rotimi Williams as legal fee; and

(e) ₦45,000.00 withdrawn also from the Ogbete account.<sup>38</sup>

It was possibly on the basis of the manner with which Nwobodo controlled Anambra State revenue, and further enriched himself, the NPP and others that the Chairman of the Military Tribunal for the Eastern Zone, Air Commodore Muktar Mohammed, asserted that Nwobodo engaged in acts of 'executive lawlessness and financial profligacy'.<sup>39</sup>

The evidences available to us, therefore, suggest that the Executive at the Federal and State levels in the Second Republic of Nigeria massively used state power for self-regarding interests to the detriment of the generality of the people. Thus the executive lawlessness was unfortunate for the electorate, because they suppose to emulate the political leaders whom they voted into power. This massive exploitation of the state was done without restraint, thereby repeating the ugly experience of the First Republic about which Cohen remarked:

The Politicians had made it quite clear that their looting of public resources could not be challenged within the framework of electoral politics. Popular participation was limited to begging politicians to secure for individuals and communities a small slice of the national cake.<sup>40</sup>

THE JUDICIARY AND THE POLITICAL  
EXECUTIVE/LEGISLATORS:

In this section we are going to examine the relationship between the judiciary and other arms of government in the exploitation of the state for self-regarding interest. With regard to the Executive, we are focusing on those who ascended to power through elections or political appointments. We are interested in exploring whether in this relationship, the judiciary was able to exercise its responsibilities without interference, and whether the judiciary collaborated with the other arms of government in exploiting the state.

We have earlier stated that the 1979 Constitution of the Federal Republic of Nigeria in its provisions for the appointment of members of the Judicial Service Commission and Judges made it a possibility for the Chief Executives of the States and the Federation and the Legislators to appoint those who had sympathy for their respective political party as members of the Commission or Judges. Furthermore, the Chief Executives and the Legislators were critical factors in determining whether a Judge would remain in office or otherwise. Added to these points was that the Judiciary was dependent on the Executive and the Legislature for its financial wellbeing. These factors appeared to have created a context in which the judiciary was subjected to the control of the Executive and the Legislature in a way that

would not make for a dynamic independent judiciary.

Our efforts to elicit information from several staff of the judiciary, including members of the bench, could not yield much fruitful results. One of the judges interviewed would rather advise the researcher to draw inference from public statements of Judges and to other judicial officers because he doubted if any officer of judiciary would want to comment on such 'sensitive' matter. This advice appear to have summarized the views of several staff of the judiciary interviewed.

However, some reported cases appear to suggest that the judiciary was actually interfered with by the political Executives and the Legislators. In this light, the Chief Judge of Rivers State, Justice Graham-Douglas in an address delivered to the Rivers State judiciary at the beginning of the 1982/83 legal year made reference to what he described as 'the suppression and intimidation of the judiciary'.

The Political Executives and the Legislators interfered with the processes of the law by intimidating the judges in order to forestall any judicial check on their excess. In other words, having, through political alignment and collaboration on the basis of extraneous factors, defeated the idea of checks and balances between the Executive and the Legislature, it was also, plausibly, considered important

to subject the judiciary to the whims and caprices of the Political Executive and the Legislators. In this regard, Justice Emmanuel Olawuyi Fakayode (1987), the Chief Judge of Oyo State until November 1984, observed that 'During the Second Republic, many Houses of Assembly within the Federation tabled motions to remove Chief Judges or judges in their States, adducing very frivolous and flimsy excuses in support of such motions'.<sup>41</sup> In 1981, the Executive and Legislators of Bauchi State made frantic efforts to remove the State Chief Judge, Justice Ashton Piper. He was later forced to retire in 1982. In July/August 1982, effort was made by both the Executive and Legislature of Borno State to remove the State Chief Judge, Justice Kalu Anya after he had delivered two judgements which the government did not consider favourable.<sup>42</sup> This would appear to suggest that despite the so much talked about independence of the judiciary in Nigeria, some of the Political Executives and Legislators of the Second Republic appeared to have considered the judiciary merely as an arm of government and must, as such, not act contrary to the interests of the government defined in terms of the interests of those who exercised state power.

In the Anambra State, there were several allegations made by NPP political rivals to the effect that the NPP government in the state was unduly influencing the state

judiciary. However, such allegations were hardly, if ever, substantiated. What later appeared to have suggested undue government influence on the judiciary was the trial of Chief Arthur Nwankwo who vied for the governorship under the PRP in 1983. Nwankwo (1986) published a book titled: "How Jim Nwobodo Rules Anambra State". The book was published by Frontline Group Publishers Limited based at Enugu. The state government considered the book seditious and as such filed a case at the State High Court at Onitsha under Justice F.O. Nwokedi, who after listening to the case, found Nwankwo guilty and as such made the following verdict: 'Nwankwo was to serve 12 months in jail. He was to pay a fine of ₦50.00. Furthermore, the complete withdrawal of the book in question from circulation was ordered'.<sup>43</sup>

Nwankwo appealed against the judgement to the Federal Court of Appeal at Enugu, before their Lordships, Justice S.M.A. Belgore, O. Olatawura, and S. Aikawa.

In the judgements delivered by Belgore and Olatawura, they made assertions which appear to suggest that the Court was influenced by the state government. Belgore stated that:

In a democratic society when other arms of the government start showing signs of decay the judiciary usually stands apart and the judiciary does so solidly and unblemished



in so far as it does not show or appear to show cover cooperation with those arms. The courts in this country have performed well so far. So it appears and so it is. It is the appearance that is important in our society and what appears to me in this case is sordid enough, more distasteful than the substantive case before the trial court. It was as if the judiciary itself was on trial. Luckily I have had occasions to decide appeals from all High Courts in this part of this great nation and this has been an isolated event.<sup>44</sup>

The judiciary truly appeared to have been on trial in the sense that it would appear to have been faced by the fierce weight of government pressures and the demands of the rule of law. What Belgore observed from the trial of Nwankwo appeared to him to have been 'sordid enough, more distasteful' than the case of sedition before the court.

Olatawura appears to have been more explicit in asserting his observations on the judgement of the lower court. In this regard, he succinctly stated:

Forgetting that the application was meant to be heard at Enugu and without any specific order of transfer by the Chief Judge to the Judge at Onitsha, Justice F.O. Nwokedi, enthusiastically proceeded to hear a matter outside his jurisdiction .... It is anybody's guess why a case meant to commence in Enugu as applied for by the State is tried in Onitsha without an order of transfer by the Chief Judge of the State.<sup>45</sup>

Could it be that the State High Court at Onitsha did not know that the case was not properly transferred to it?

What was the reaction of the State Chief Judge on the improper transfer of the case from Enugu to Onitsha? Why was the case, in fact transferred? Answers to these questions appear not to be readily available. In the opinion of the two Appeal Court Judges quoted earlier, it would appear that there was a deliberate attempt to avert the rule of law in favour of the state government. This suspicion appears convincing.

In September 1984, the Chief Judges of the ten northern states jointly issued a statement calling on the Federal Military Government to purge the judiciary. At a special session of the Supreme Court in Enugu, capital of the then Anambra State, in March 1985, the retiring Chief Justice of Nigeria, Justice George Sowemimo, declared that the state judiciary was 'very sick and requires an urgent surgical operation to save it'. In August, he spoke of the 'mess and decay' in the Imo State judiciary. In what appeared to be the purge Sowemimo had advocated, the Chief Judges of the then Anambra, Bendel, Benue, Plateau, etc. were either dismissed or forced to retire. Sowemimo attributed their dismissal and/or retirement to 'inefficiency and corruption'.<sup>46</sup>

The nature of the relationship between the judiciary and the other two arms of government appears to have subjugated the judiciary to their manipulation. In addition

to the appointment of Judges in which the Executive and the Legislature were involved, the Executives also exercised the powers of Prerogative of Mercy by which a convicted person could be set free by Executive order; and the powers of Nolle Prosequi by which the trial of a case could be stopped at any point by the Executive. The researcher attempted to ascertain grounds on which these powers were exercised in Anambra State in the Second Republic. The authorities of the State Ministry of Justice interviewed agreed that the reasons were generally tied to the interests of some top members of government. As one of them put it, 'the reasons were often very unorthodox'. Thus, the actual reasons for the exercise of such powers are not made public.

Moreover, while the Legislature and the Executive could set in motion machinery for intimidating the judiciary, the judiciary could not act on cases involving either the Executive or the Legislature unless such cases were brought before it. It may also be important to note that the judiciary was also limited as to the cases involving the Legislature or the Executive which it could entertain. According to Nwabueze:

The view of the courts is that judicial intervention is proper only for the purpose of testing the legality of executive acts in a formal limits of the powers granted by law, the court

cannot enquire further. The substantive merits of the act, whether it is just or oppressive, honest or corrupt, or otherwise arbitrary, is by and large, no concern of the guardians of the law. Such is the narrow, formalistic conception of the Rule of Law adopted by our courts.<sup>47</sup>

It would appear from the above that in the context of the government of the Second Republic of Nigeria, the hands of the judiciary were tied to the whims and caprices of the Executive and the Legislature. Although some judges performed creditably well like in the case of Alhaji Shugaba Abdurahaman Damman, the majority leader of the GNPP in Borno State who was deported by the federal government, and whose deportation order was set aside by the court, several members of the bench appeared not to have been bold enough to resist interference on judicial functions from the other arms of government. The reason appears to lie in the socio-economic structure of Nigeria and the dependence of the judicial officers on the state for their livelihood. Thus, some of the judicial officers could afford to allow the judiciary to be subverted in order for them to remain in the good book of government. Those of them who refused being intimidated and manipulated would appear to be people who believed that they could sustain themselves and their families without the material rewards of the government.

In summary, it is important to note that one thing is to provide checks and balances in government, and another thing is for those who pilot the affairs of the state to make the checks and balances effective. No doubt, governmental machineries can only be as functional as the governing class and their agents would allow. Checks and balances provided for a governing class that is out to exploit the state will definitely be subverted with impunity. This was really the experience in the then Anambra state governments of Nigeria led by Nwobodo. In the government, the wheels of government were often bent to satisfy the interests of the governing class and their clients.

As a result of the political party link that existed in the Second Republic of Nigeria, a platform was created for the Executive and the Legislators to collaborate in exploiting the state. Political parties by virtue of their position as bedrock for vying for political offices, sometimes exercised selfish influence on those in power who responded positively to party demands in order to remain in the good book of their respective political parties. The judiciary which was expected to ensure the rule of law could not act unless a case was brought before it. Such cases involving the government were either judged in favour of the government, or, in some cases the judge was intimidated by the

government and its agents for making judgement against the government.

Having succeeded in subverting the institutional checks and balances, the governing class then highly used state power to satisfy private ends. In this way, they contributed to the expansion of the comprador bourgeoisie. Moreover, by engaging in skewed distribution of resources, the difference becomes more pronounced in the country. On the other hand, the scramble for wealth through the instrumentality of state power engendered unhealthy intra-class conflicts which in addition to making the government treasury bankrupt, also generated confrontation and gang-up in the government service. We may also have to recall at this point that instability of government in Nigeria resulting from rampant military intervention is partly attributed to the desire of the coup plotters to eliminate corruption from the Nigerian body politic. Probably, the successive military regimes that came into power through coup de tat have always borne in mind the provision of S.15(5) of the 1979 Constitution which stated that "state shall abolish all corrupt practices and abuse of state power". If corruption and misuse of state power could be successfully abolished, then utopia would be created.

Thus, the military intervention has always led to termination of the nation's experiment with democracy. For instance, corruption was the major reason given by Major Chukwuma Nzeogwu to oust the First Republic Civilian Government in June 27th 1966. Major Nzeogwu had told the nation then that:

"our enemies are political profiteers, swindlers, the men in the high and low places that seek to keep the country divided permanently so that they can remain in office as ministers and V.I.Ps of waste, the tribalists, the nepotists, those that make the country big for nothing before international circles, those that have corrupted our society and put the Nigerian political calendar back by words and deeds."

About ten years later in 1975, late General Murtala Mohammed had cause to topple another military regime led by General Gowon for nine years. He too had told the jubilating Nigerians that his action was dictated by the need to curb:

"the general economic indiscipline ... and social drift that would inevitably result in chaos and bloodshed unless arrested".

Again eight years after (1983), corruption formed the basis for General Mohammed Buhari's putsch which terminated the four-year civilian administration of Alhaji Shehu Shagari - the Second Republic Civilian President.

The new military leaders also reiterated:

"while corruption and indiscipline have been associated with our state of under-development, these twin evils in our body politic attained unprecedented heights in the past four years". The corrupt inept and insensitive leaderships in the last four years have been the source of immorality and impropriety in our society".

This statement is similar to that of General Ibrahim Babangida who ousted General Buhari/Idiagbon military administration. The same applies to the present General Abacha's regime whose administration dramatically displaced Chief Ernest Shonekun's Interim National Government also in an attempt to set the country free from corruption and indiscipline. However, the above discuss notwithstanding, it has, in fact, since become clearly evident that the military regimes have been as corrupt as the civilian administrators they ousted as lamented by Alhaji Shehu Musa - "The venemous canker-worm (corruption), has recurringly bedevilled all our regimes from independence to date". But it is funny to observe that few years after his statement, the very Alhaji was said to have amassed wealth from the public fund as the chairman of the National Population Commission (NPC). It was reported that he deposited about \$15 million dollars, £22 million pounds and an asset worth #30 million in Nigeria - this was money purported to have



been made from foreign exchange transactions during the importation of satellite service for the demarcation of the country into counting zones and other equipments for the 1991 National Population Census.

However, due to efforts of the Nigerian Police Force, an attempt have been made by the department in documenting the reported cases of corruption in Nigeria. The following table summarized the incidence through percentage computation and deductions. The following table also serve as a general idea covering official reported cases between 1967 to 1986.

TWO DECADES OF BRIBERY AND CORRUPTION IN NIGERIA  
(1967 - 1986)

YEARS	BRIBERY & CORRUPTION		ANNUAL PERCENTAGE INCREASE/DECREASE		THEIR PERCENTAGE SHARE OF TOTAL CRIMINALTY	
	Figures	Dates	Figures	Dates	Figures	Rates
1967	252	0.41	-	-	0.45	0.45
1968	277	0.44	+9.92	+7.32	0.48	0.48
1969	305	0.48	+10.11	+9.09	0.43	0.44
1970	340	0.52	+11.48	+8.33	0.30	0.30
1971	416	0.62	+22.35	+19.23	0.30	0.30
1972	515	0.74	+23.80	+19.36	0.35	0.35
1973	586	0.83	+13.79	+12.50	0.38	0.38
1974	678	0.93	+15.70	+12.05	0.37	0.37
1975	721	0.97	+ 6.34	+ 9.30	0.37	0.37
1976	1,008	1.32	+39.81	+36.08	0.47	0.47
1977	1,114	1.43	+10.52	+ 8.33	0.50	0.51
1978	1,043	1.29	- 6.37	- 9.79	0.47	0.47
1979	890	1.07	-14.67	-17.05	0.43	0.44
1980	656	0.76	-26.29	-28.97	0.31	0.31
1981	431	0.46	-34.30	-35.53	0.16	0.17
1982	513	0.56	+19.03	+14.29	0.18	0.19
1983	483	0.51	- 5.85	-12.50	0.15	0.16
1984	1,085	1.11	+124.63	+117.65	0.29	0.29
1985	804	0.77	- 25.90	-30.63	0.23	0.29
1986	588	0.55	- 26.87	-22.57	0.20	0.20

Source: Annual Reports of the Nigeria Police Force

Although corruption is known as a crime with low reportability, the above table is the figures showing only

corruption cases handled and documented by the Nigerian Police Force in a period of two decades 1967 - 1986. One can then imagine the actual figure if all cases of corruption were officially reported and documented in a country where corruption has been accepted as a way of life or where corruption is being regarded as official in a public office by the officials.

The table therefore indicates that corruption has risen steadily since 1967 from 252 cases to hit an all-time high of 1,114 and 1,043 cases in 1977 and 1978 respectively, before declining, but never to as low as the 1967 level.

<sup>1</sup>T. Iwere, "From Success to Failure"  
Times International, 2, 44, July 29, 1981, p. 5.

<sup>2</sup>Quoted in Agbese, D. et. al.  
"The Law Breakers", Newswatch, August 5, 1985, p. 11.

<sup>3</sup>I.C. Okoye, quoted Olusola Saraki  
"Legislators and Representations: A Case study of the  
1979-1993 Anambr State Legislators (Unpublished M.Sc. Thesis,  
UNN, 1983, p. 175.

<sup>4</sup>J.C. Okeke, 'Brief on Ex-parliamentarians' Houses  
(Letter addressed to the The Permanent Secretary, Ministry of  
Works, Lands and Transport), in Report of the Committee on  
Review of Government Contracts and other Agreements,  
(Enugu: Government Printer, 1984, p. 294).

<sup>5</sup>Ibid.

<sup>6</sup>Ibid.

<sup>7</sup>Ibid.

<sup>8</sup>Ibid.

<sup>9</sup>C.U. Anozie 'Houses Occupied by Ex-legislators at  
Trans-Ekulu, Enugu' (Reply to Engr J.C. Okeke's Letter to  
the Permanent Secretary, Ministry of Works, Lands and  
Transport dated March 27, 1984). Report of the Committee on  
Review of Government Contracts and other Agreements, Op. Cit.,  
p. 295.

<sup>10</sup>D. Agbese, et. al. "The Law Breakers", Newswatch,  
August 5, 1985, p. 13.

<sup>11</sup>Ibid.

<sup>12</sup>Ibid.

<sup>13</sup>Ibid.

<sup>14</sup>Agbese, op. cit., p. 17.

<sup>15</sup>Ibid.

<sup>16</sup>A.A. Nwankwo. "How Jim Nwobodo Rules Anambra State"  
Enugu: Frontline, 1982, p. 37.

<sup>17</sup> This information was given by two management staff of the Premier Brewery, Onitsha. They were separately interviewed, but they did not differ in the oral information they gave the researcher. However, for fear of losing their job, they pleaded to be anonymous.

<sup>18</sup> This document was shown to the researcher in confidence by a government official who had access to it.

<sup>19</sup> A.A. Nwankwo. Corruption in Anambra State: The Jim Nwobodo Legacy. (Enugu: Frontline, 1983), p.15.

<sup>20</sup> Ibid. p.14

<sup>21</sup> Ibid

<sup>22</sup> Ibid, p.21

<sup>23</sup> Ibid

<sup>24</sup> M. Bakr "The Almighty Licence Notorious But Profitable" The President, March 1986 p.6

<sup>25</sup> N. Idoko, "29 Years of Unbridled Corruption, Newbreed Lagos: Newbreed Publications Ltd

<sup>26</sup> V. Fagbayila, "How Dikko Stole N10 bn from Nigeria" RAZOR, 1994, p. 1.

<sup>27</sup> 'Awote Panel Report on the Recovery of Public Funds and Property' (Unpublished), pp. 136-138.

<sup>28</sup> Ibid, pp. 120-127.

<sup>29</sup> Ibid, p. 7

<sup>30</sup> Ibid, p. 8

<sup>31</sup> Ibid, p. 28

<sup>32</sup> Ibid, p. 28

<sup>33</sup> Ibid, pp. 165-166

<sup>34</sup> Ibid.

<sup>35</sup> Ibid, p. 167

<sup>36</sup> See Araka, J. 'Charges, Trials and Verdicts of Ex-Governors', Sunday Times, 1/7/87, p. 11.

<sup>37</sup> Ibid, p. 15

<sup>38</sup> Daily Times, 4/8/84, p. 1.

<sup>39</sup> Guardian, 2/8/84, p. 1.

<sup>40</sup> National Concord, 22/6/84, p. 1.

<sup>41</sup> N. O. Fakayode made this observation when he was being interviewed by Akin Oladuni. See People's Law, January to March, 1987, p. 18.

<sup>42</sup> Aguda, Op. Cit., p. 178.

<sup>43</sup> Nwankwo, A. Justice, Sedition Charge, Conviction and Acquittal of Arthur Nwankwo (Enugu: Fourth Dimension 1986), p. 114.

<sup>44</sup> Ibid, p. 163

<sup>45</sup> Ibid, pp. 186-187.

<sup>46</sup> Agbese, D. et. al., op. cit., p. 17.

<sup>47</sup> Nwabueze, B.O. 'The Law and Us',

## CHAPTER FIVE

### 5.1 AUTONOMY AND POLITICAL CORRUPTION

Investigations into the various tiers of government have shown considerably that nation's economic and technological dependency tended to have increased the corruptive activities in government through the misuse of state power.

Unfortunately, the full report of investigation into the government of Anambra State under Jim Nwobodo cannot be meant because most of the documents were marked 'classified'. In other words, the general public is legally restricted from having access to the full report. Thus, the pieces of information available do not reveal most of the network of transactions between the government and expatriate businessmen, or between the government officials and private citizens. However, the available data suggests that Nigeria's economic and technological dependency exacerbated political corruption in Anambra State under Nwobodo. Moreover, since the purpose of the case study is to provide grounds for understanding political corruption as it affected the Nwobodo's government (1979 - 1983) was part of, we shall not hesitate to draw examples from other states and federal government of Shehu Shagari. Below are instances of political corruption in Anambra State during the Second Republic through dependency on foreign transactions.

Three main areas may be identified in this regard

- (a) Foreign loans
- (b) Importation, and
- (c) Involvement of expatriates in the domestic economic activities of the state.

#### Foreign Loans

Anambra State government in the Second Republic depended highly on foreign loans for the execution of most of its major projects like the Rural Electrification Scheme, Metallurgical plant at Ozubulu, Concrete Industry at Abakiliki, Nike Lake Hotel, Awka and Nsukka Hotel, Water and Road projects, etc. As a result of the dependence of the state government on foreign loans for the financing of projects, ₦558,541,792.58, was borrowed from external sources as could be observed in the following table:



Table X: SUMMARY OF LOAN COMMITMENTS - EXTERNAL AID

S/No.	LENDER	PRINCIPAL	INTEREST DOWN 'PAY- MENT' LOAN	OTHER CHARGES
1.	Gomba U.K. Ltd	8,712,477.00	2,351,010.62	-
2.	Gomba U.K. Ltd	4,330,990.00	1,168,692.14	-
3.	Gomba U.K. Ltd	14,219,443.00	3,837,032.94	-
4.	Gomba U.K. Ltd	3,435,576.00	927,069.95	-
5.	Amex Bank Ltd	28,406,939.00	14,343,224.10	146,616.00
6.	Amex Bank Ltd	58,365,759.00	16,841,494.05	218,450.70
7.	Amex Bank Ltd	43,968,872.00	12,687,258.91	177,852.10
8.	Amex Bank Ltd	36,964,981.00	10,666,279.65	151,882.10
9.	Bank of Scotland	5,386,051.00	1,009,884.95	45,920.28
10.	Banque De Paris	28,785,690.00	14,534,462.97	-
11.	Williams & Glyns	13,110,540.00	3,302,217.28	19,008.00
12.	Commerce Bank Ltd	22,596,614.00	11,409,476.35	110,125.00
13.	Aka	33,022,506.00	10,837,161.08	-
14.	Samuel Montagua	2,348,307.00	1,107,624.11	16,730.00
15.	Samuel Montagua	9,117,008.94	5,917,590.65	-
16.	Gulf Credit Corp.	21,791,875.00	13,580,430.91	-
17.	I.B.R.D.	115,226,119.30	31,940,969.07	-
18.	Bank of Madrid	28,823,160.00	17,495,849.65	86,469.48
19.	I.B.R.D.	-	-	-
20.	Hungarian Govt	3,161,835.60	379,420.27	-
21.	Consol. Engr Ltd	1,149,547.00	307,298.43	-
	TOTAL	382,924,290.84 (100%)	174,644,448.08 (45.6%)	973,053.66 (1.4%)
	GRAND TOTAL	558,541,792.58		

Source: Report of the Committee on the Review of Government Contracts and other Agreements (Official Document No. 15 of 1984, p. 30).

Very often, the advanced capitalist countries describe such loan as aid to the developing countries. However, empirical surveys have made it explicit that such 'aids' do not give much benefit to the recipients. Thus, Nkrumah (1973) asserted that 'aid to a neo-colonial state is merely a revolving credit paid by the neo-colonial master, passing through the neo-colonial state and returning to the neo-colonial master in the form of increased profits.'<sup>1</sup>

In this light, the Madu Committee observed in respect of Table VI that 'most of the projects arising out of the loans were over priced.'<sup>2</sup> Moreover, most of the major contracts were awarded to expatriate companies. Some examples may be necessary at this juncture.

The contract on the Concrete Industry, Abakiliki, built with Amex Bank Loan was discovered to have been overpriced. Similarly, the contract on Nike Lake Hotel was discovered to have been overpriced by about ₦10 million. In this later case, the contractors were asked to design and construct the works. The expatriate architects involved made provision for the use of materials that could not be produced locally, thereby leading to the importation of materials for the work'<sup>3</sup>. We shall soon adduce some evidence to show that such importations created

opportunities for siphoning large sums of money out of the country. It is also important to note that the expatriate architects who produced the designs were paid in foreign currency from the state government's meager foreign reserves.

Contrary to the state government's claim that ₦3,035,738.00 was spent on each of the hotels at Awka and Nsukka, the committee estimated that the contract cost of each of the hotels would be about ₦2.8 million. Similarly, loan from the Bank of Scotland was partly expended on the construction and equipment of Anambra Television (ATV). The contractors involved were Arem Corporation of Buckingham and International Generics Limited of Sussex. In the final analysis, the committee notes that the A.T.V. building is made on concrete frames and blocks and the furnishing would be the equipments that were introduced into the building. Allowing for the special sound proofing and air-conditioning, etc, the building will cost at the most about ₦4 to ₦5 million. It is difficult to see from the above analysis how the cost of A.T.V. building and equipments would have risen to the present value of ₦20,410,591.92.<sup>4</sup> On the basis of the contract valuation made by the committee, it would

seem that about ₦15,410,591.92 claimed by the state government as part of the cost of the contract may have been misappropriated. The committee suggests that the former Governor of Anambra State, Ifeanyi-Chukwu Nwobodo, was directly responsible for the award of the contract. In this light, the Awote Panel on Recovery of Public Funds and Property 'considers it very questionable whether the interests of government and that of the people were the main consideration in adopting to saddle the people with the burden of heavy foreign debts'.<sup>5</sup> What tends to emerge from the 'foreign loan' question is that the dependency of Nigeria on foreign capital has created more avenues for the misuse of state power for private enrichment. The more contracts are awarded, and the more expatriate businessmen penetrate and influence the domestic economy of Nigeria. In the final analysis, they defraud the country, swindle out their ill-gotten monies and then bank some abroad for their Nigerian collaborators. In this way, the country's economy was devastated the more, thereby expanding and strengthening the dependency structure.

#### Importation

Added to the loss incurred by the country through the misappropriation of foreign loans was the massive exploitation resulting from widespread and unguarded importation of food

items and other goods from the industrialized countries.

The experience in Anambra State in the Second Republic was that the more foreign loan were borrowed, the more expatriates were involved in contracts awarded by the state government. It is important to note that each loan was associated with a particular project being embarked upon by the government.

As a result of the technological underdevelopment of Nigeria, the government inevitably had to import some items from the advanced countries. No doubt, a country can justifiably import items from other countries. Advanced countries import items from the developing countries and vice-versa. Similarly, advanced countries import items from other advanced countries, and developing countries import items from among the developing countries. However, the question on the importation of items from the advanced countries that is of interest to us is whether such transactions were used by the governing class to defraud the State. This would appear to have been the case in the Second Republic of Nigeria. For example, the A.T.V. which was built with money borrowed from the Bank of Scotland depended a lot on the imported items. The project was handled by two foreign contractors - Arem Corporation of Buckingham and International Generics Limited of Sussex. The dependence on foreign contractors and foreign materials, and the private-regarding interests of the Political Executive involved in the award of the contract combined to give rise

to the over pricing of the value of the project by over ₦15 million. There was also the case involving Link Group International, a company established by Nwobodo before he became the Governor of Anambra State in 1979. The company engaged in the supply of a scientific and medical equipments. Consequently, the company depended much on the advanced countries for the production of its goods. Link Group was accused of corrupt importation and transaction under the cover of Nwobodo. For example, there was the case of the agreement reached between Link Group International and Fisher Scientific Company, based in Zurich, Switzerland, for Link Group to be their sole and exclusive representative for their scientific equipment in Nigeria.<sup>6</sup> Fishers Scientific Company was said to have been awarded a ₦22 million contract by the Anambra State Government for the supply of science equipment to schools in the state. Nwankwo asserted that "Link Group, as the intermediary, collected substantial commissions on such contracts which are credited to its Bank Account Number 985042".<sup>7</sup>

Okolie (1986) asserted that several businessmen, including those who fronted for top government officials engaged in scramble for import license, 'whereas it was originally envisaged as a valve to conserve scarce foreign exchange, indeed, import licence ripped upon the drain pipe of foreign exchange.'<sup>8</sup>

It has been observed that 'so much (foreign exchange) was collected on the basis of import licence but the goods were never negotiated. Where they were negotiated, they were sailed in. And were they sailed in, it was not unusual for containers to be loaded with sand or plain rubbish.<sup>9</sup>

According to 'Bakr (1986) Nigeria's level of foreign exchange disbursements for part of 1981 and 1982 was about ₦1.2 billion per month. He noted that when the military intervened in December 1983, Nigeria was already drifting in external debts of about \$20 billion.<sup>10</sup>

The scramble for import licence was coupled with massive over-invoicing. Olu Falae, the secretary to the then Federal Military Government of Nigeria under General Mohamed Buhari was reported to have said that Nigeria lost ₦16 billion between 1979 and 1983 as a result of over invoicing of import bills by importers, mostly in the private sector.<sup>11</sup>

We have earlier presented some evidences to show that many of the people who parade themselves as independence businessmen or women were merely fronting for some top government officials. This tends to explain why they often had their way in the face of regulations on import licence. Considering the havoc caused on Nigerian economy through import licence, Modupe Okogie (1984) drew the attention of Nigerians to the fact that 'our invoicing accounts for about 500 per cent of the inflation rate in this country, about 80 percent of drain and

shift of capital in hard currency ...."<sup>12</sup>

Reports of the Military Tribunals that investigated into the activities of the Federal and State Governments of the Second Republic revealed a lot in terms of the use of import business to defraud the country. The rice scandal is a case in point.

Shagari's government sent up a Presidential Task Force on rice. It was claimed that the objective of the Task Force was to reduce the cost of rice in the Nigerian market. In the preceding chapter (Chapter IV) we mentioned that Alhaji Umaru Dikko, a leading member of the party in control of the federal government, was made the Chairman of the Task Force. According to Smith (1985) the Task Force was converted into a powerful machine for defrauding the nation. Rice millionaires were created. The fraudulent deal further revealed that rice which landed in Nigeria for ₦38 (\$48) per 50kg bag, suddenly rose to ₦60 (\$74) and soon after ₦100 (\$132) per 50 kg bag.<sup>13</sup>

In addition to extorting money from local distributors, foreign firms that were involved in the rice deal collaborated with some members of the Task Force in enriching the NPN, and in swindling money out of the country to sway some private accounts. For example, one of the expatriate partners in the rice deal, Eurotrade, managed by three Greek - Nicholas Shacolas, Panikos Papadakis, and Spyridon Phylactus, enriched the NPN in order to retain the "good will" of the Federal Government.

Fraud squad detectives in London have revealed that 'at least \$80 million lying in a British bank is awaiting to be collected



as the ill-gotten gains of the fraudulent deals.<sup>14</sup>

Similarly, in a publication made by the British press in 1983, it was suggested that more than ₦6 billion in foreign exchange belonging to Nigeria might have been stolen in fraud involving export of goods to Nigeria.<sup>15</sup>

## 5.2 EXPATRIATES AND CAPITAL DRAIN

Some expatriate companies that settled in Nigeria under the shadow of one business or the other were either entirely, or in addition to the contracts they performed; what Ziegler (1978) describes as "professional carriers".<sup>16</sup> That is, people who specialised in illegally remitting capital and depositing them in foreign accounts for their clients. Almost all the expatriate companies that were tried along with the leadership of the Second Republic were found to have collaborated with their Nigerian partners in remitting large sums of money - sometimes running into billions of naira - out of the country. The case of Greenfield extensively discussed in Chapter IV supports this point. Anambra State government awarded millions of naira worth of contracts to Greenfield even when it neither applied for any contract nor was selected by the State Tenders Board. Investigation later revealed that Greenfield was owned by Mr. Shamji of Gomba U.K. Group those interests Mr. Nooreddin Valimahomed represented, and Chief Jim Nwobodo, the then Governor of Anambra State, whose interests

were represented by Mr. Joseph Ogbodo (alias Small Joe), Managing Director of Small Joe Enterprises Limited.

Mr. Ben Osy Umunna who was among the owners of the company was at a stage edged out by Shamji and Nwobodo. Ogbodo admitted before the Military Tribunal for Enugu Zone that he withdraw £1.6 million from the Greenfield account in the ACB in Enugu and the money was taken away in cardboard boxes and then delivered into Governor Nwobodo's office.<sup>17</sup> Thus, in the judgement of the Tribunal, the total sum found to have been misappropriated through contracts awarded Greenfield was shared between Nwobodo and Shamji. A London based bank, Johnson Mathey Bank (JMB) was discovered to have been used extensively by some Asian 'professional carriers' in swindling money out of Nigeria. It is estimated that Nigeria lost over ₦6.4 billion between 1979 - 1983 through this Bank.<sup>18</sup> The Asians involved in the JMB scandal were three Pahoomal brothers: - Vinod, Narendra and Mohan, and Mahmud Sipra from Pakistan. They played major role in forging documents with which Nigeria was defrauded in the event of import deals. In this light, Soyinka reported that in 1983 when the Pahoomals were blacklisted in Nigeria, it was found that a letter of credit was paid for more than half a million naira for tractor spare parts to Nigeria, whereas the true value of the tractors were put at about ₦15,000.00.

It has not been possible to ascertain the total amount

of money actually misappropriated by the government of the Second Republic, or the entire private ends which state power was used to satisfy. However, the discoveries made by various Military Tribunals suggest a lot in this regard. For instance, Major General Mohammed Buhari, the Nigerian Head of State whose government ousted the government of the Second Republic once disclosed that by September 1984, ₦112,129,182.67 and £1,688,185.8 pound sterling had been recovered by various investigating panels.<sup>19</sup> These sums do not include the billions of naira found to have been misappropriated, but which the investigating panels could not discover where they were invested or hidden.<sup>20</sup> It was on this premise that Lardner remarked that 'digits better suited for astronomical computations have become generic expressions of national graft'.<sup>21</sup>

In the final analysis, the billions of naira spent on importation of items from the industrialized countries created opportunities for siphoning money out of the country. For instance, through the expenditure of about ₦3 billion on the importation of rice between 1980 and 1983, it was possible for those engaged in this exercise to accumulate for themselves not less than \$80 billion in foreign accounts, in addition to the fantastic profits they made from the sale of the commodity in Nigeria.

After the coup of December 1983, a warehouse belonging to Afro Continental, where rice was hoarded was discovered. Later

investigations linked the manager of Afro-continental to Isiaku Ibrahim, better known as one of the leading financiers of the defunct National Party of Nigeria.<sup>22</sup>

In some instance, money was paid for goods that were never exported to Nigeria. Thus, Danjuma contended that 'a sizeable proportion of the foreign debt for which Nigeria is today being held to ransom is for goods and services that never reached our shores'.<sup>23</sup>

New class millionaires were created from among those who exercised state power and their clients. But the weight of the benefits of the spoils of the fraudulent practices was in favour of the expatriates who collaborated with some of the people in government in plundering the nation's economy. They raked off billions of naira from Nigeria, and their home banks benefited from being the custodians of the monies swindled out of Nigeria. Nigeria, in turn falls back to foreign banks for loans, often given on interests that help to sway the economy of the expatriate countries.

Of importance also is that by siphoning capital out of Nigeria without making profitable returns, the country's dependence on foreign economies is given more weight. In this regard, the committee set up by the Federal Military Government to review Nigerian's Foreign Policy, including Economic and Technical Co-operation, in its report submitted in May 1976 asserted that "the subversion of public institutions and the

public interest by corruption was a major problem which undermined the domestic conditions necessary for the type of independent foreign policy Nigeria needed in the decade 1975 - 1985;<sup>24</sup> that is the period covered by the report. In a similar vein, Asobie remarked that 'capital drain brings with it relative loss of power, a depreciation of the capacity to influence other states and actors to do things they do not wish to do or to refrain from doing things they wish to do.'<sup>25</sup>

The validity of these assertions was made manifest when shortly after the coup of December 1983, the new military government started negotiating for loans from some of the industrialized countries, in the face of the attendant lending conditionalities often provided by the lenders as a means of controlling economic activities in the debtor countries. The experience of Nigeria in the attempt to borrow money from the International Monetary Fund (IMF) illustrates this point.

The nature of the relationship between dependency and political corruption is actually determined by the character of the governing class. For example, there is nothing intrinsically wrong with borrowing loan from external sources, or inviting foreign experts to assist in the execution of certain projects. The fundamental problem in the Nigerian context is that the governing class relies on state power as means of enriching themselves. Thus, loans obtained from abroad offered them more opportunity to enrich themselves. Moreover,

expatriate experts and companies encouraged to operate in the country exploited the economic and technological dependence of Nigeria and the character of the Nigerian governing class to amass wealth for themselves. Since some of the custodians of the Nigerian state collaborated with the expatriate experts and businessmen in exploiting the Nigerian economy, they themselves, in return, aided the Nigerian leaders and businessmen to siphon money out of the country and then deposit them in foreign banks for them.

This, therefore, underpins the fact that any solution to the problem of corruption in the government of Nigeria which will yield fruitful result should focus on achieving a truly independent economy for Nigeria, and the transformation of the character of the Nigerian governing class.

Introduction

It was prophet Samuel who once in his life time had to put to test his uprightness - by declaring to his people:

"Behold, here I am; witness against me before the Lord, and before his anointed: whose Ox have I taken? Or whose Ass have I taken? Or whom have I defrauded? Or whom have I oppressed?. Whose hand have I received any bribe to blind my eyes therewith and I will restore it to him". (I Sam 1: 2 & 3).

The response was of-course, unanimous: Samuel had neither defrauded anyone, nor countenanced any act of corruption or indiscipline, nor did he ever wrest justice after accepting bribe. The unanimity of the Jews' reply attested to the fact that Samuel was a man of unquestionable character.

A validating question: - 'How many Nigerians, no matter their positions in life, approach Samuel's standard today'?. 'How many can sincerely and boldly posits what Samuel posed'?.

No one wants the word 'corruption' to be tagged onto his/her name. The term 'corruption' constitute a stigma, and are openly condemned by everyone. Nigerians are 'angels' (Agbonifo, 1982).<sup>26</sup>

### 5.3.1 POSITIVE EFFECTS OF CORRUPTION

In order to balance the effects, I shall present arguments first to show that the effects of corruption may be beneficial in nature. However, it is noteworthy to mention that, that the effects are good does not mean that the means are either desirable or blameless.

1. One of the opportunities open to corruption is that it may serve to increase the quality of public servants. Thus, if wages in government service are insufficient to meet a talented man's needs, and he has an alternative choice, he will be tempted to choose the other. On the other hand, a man anxious to serve the country through government service might opt away from non-government employment if he knew that no means existed to supplement the meager salary. The corrupt are not always unable; nor are they always unpatriotic. These propositions seem especially true of under-developed countries where the reward for government service are so piteously low. Where corruption is often necessary to provide basic necessities of life to oneself and one's family, it becomes a necessary means of ensuring a supply of able and willing public servants. Furthermore, in developing nations, it is an indispensable means of reconciling insufficient wage rates with the claims of traditional society operating through extended family and



clan ties. The civil servant cannot wish away this obligation. Through corruption, he taxes society with preserving an important element of social continuity.

2. In countries where the absorptive capacity of private agencies is not great enough to provide employment for the educated or half-educated, government service obtained by means of illicit considerations may be provided a safety valve of considerable importance.

3. Corruption provides a means for reducing the harshness of an elite-conceived plan for economic and social development. It supplements the political system by allowing the introduction of political considerations at the administrative level, such access may be essential to the stability of the system. When political channels clogged, corruption provides non-violent entry into government affairs and administration.

4. Among politicians, corruption may act as a solvent for uncompromisable issues of ideology and/or interest. Where potential schisms based upon the claims of caste, tribe, religion, or language are manifold common interest in spoils may provide cement for effective political unity, especially within a single dominant party.

5. Corruption may be functional to the maintenance of a political system by providing immediate specific and concrete benefits to groups which might otherwise be alienated

from the society.

6. Leys (1965) indicates that public officers forced to live on their monthly salary might seriously disrupt the economy with wage demands, whereas petty corruption is a form of forced taxation from citizens who might otherwise pay less than their share.<sup>27</sup> He also stated that it helps to cut the red-tape of government inefficiency and may redirect resources into development of the country.

7. Since corrupting a system indicates basic acceptance of it, corruption provides immediate, specific and concret benefits to groups which might otherwise thoroughly be alienated from the society. Corruption may thus be functional to the maintenance of a political system.

8. Nye (1967) stated that corruption may also help capital formation, supply an incentive for local entrepreneur; helps to integrate the elite, provide resources for the development of political parties and enable the government to "aggregate enough power to govern".<sup>28</sup>

### 5.3.2 NEGATIVE EFFECTS OF CORRUPTION

1. Political corruption instigates absence or weakens the political legitimacy and stability. A corrupt society lacks discipline and self-control; and absence of self-discipline and self-control in any society acts as a missing-link between corrupt free society and a meaningful development.

on a weak cultural and environmental foundation. Thus, law and social norms are thrown overboard. Human worth and human dignity became perverted and there is no set goals about which people are geared to think positively. Eventually, the pattern and procedures of governance become riddled with perversions and there are no institutional or temporal remedies for creating legitimate channels for the upliftment of the generality of the people. A corrupt society also makes the application of sanctions against corruption difficult, if not impossible. Any attempt to introduce or encourage conformity to, and compliance with the laws are short-circuited by the prevailing channels of corruption. (Babangida, 1992)<sup>29</sup>. Thus, corruption intimidates, suppresses and of-course manouvres one's conscience towards committing crime.

2. Norms of responsible conduct and of legitimate performance of official duties are violated with reckless abandon, and neither positive nor negative sanctions could in any way rectify the diminishing process of moral or ethical values that is set in motion. Rectitude is also put under danger and the proper governance of the people becomes difficult.

Moreover, corruption by itself progressively becomes disruptive of public order; offering or tendering and receiving all forms of inducement become the order of the day for promoting certain interests, especially personal and selfish

interests above national interest. The prescription of both public and private sectors of the political system itself for the wrongs that are inherent in it, or that could be produced by it, become destroyed as a result of the very nature of corruption since it moves in circles. It manifests itself by, in addition to inducement, creating an expectation of undue realization of what could be regarded as avoided laws in terms of values. The common values that are meant to promote the common welfare become mortgaged and is not only subsequently placed at stake, it eventually gets sacrificed.

3. Although N. Leff, J. Nye and other revisionists postulated that in a number of ways that corruption can be beneficial in enhancing the ability of the bureaucrats in developing countries generally to promote economic development; in Nigerian context, we can argue that such beneficial attributes are not applicable to Nigeria situation of today. Corruption has crippled the ability of the Nigerian civil service to effectively promote economic development. Apart from the 'oil boom' of 1970's, the government has failed to emancipate most Nigerians from the debilitations of hunger, squalid living, homeless, malnutrition, diseases, ignorance and all the other indicators of marginal existence.

4. Etzioni, presents corrupt act as a failure to achieve the set objectives government sought when it

established criteria for decisions of various classes. For instance, if the objective in hiring government employees is the obtaining of efficiency and ability in carrying out official tasks, then corruption in appointments produces inefficiency and waste. If the issuing of permits for domestic enterprises is designed to ensure that scarce resources go to projects enjoying the highest priority in terms of facilitating long run economic development, then corruption exacts a cost by inhibiting over-all economic development.

5. Corruption represents a rise in the price of administration. The multiple of extra cost depends on what the market will bear. The man who is both tax-payer as well as being forced to submit to bribery has paid several times over and above for the same service. Thus, corruption is a mechanism for allocating increased amounts of resources to the performance of a single type of function, namely government administration.

6. If part of the money awarded for a contract goes for a kickback, then it serves to diminish the total amount expended for public purposes to private hands.

7. Corruption exerts a corrupting influence on other members of the administrative apparatus. Corruption feeds upon itself and erodes the courage necessary to adhere to high standards of propriety. Morale declines, each man asking himself why he should be the sole custodian of morality.

8. Corruption perceived by the people in government lowers respect for constituted authority. It undercuts popular faith in government to deal even-handedly. The less a regime depends upon coercion in order to maintain itself, the more it must depend upon popular respect for it. One element in this process of legitimation is popular faith in government to deal fairly among competing claimants. Corruption weakens this element of support.

9. Politicians constitute an elite. Their role expectation is to give purpose to national effort towards development. In so doing they cannot avoid setting an example others will emulate. If the elite is believed to be widely and thoroughly corrupt, the man-in-the street will see little reason why he too should not gather what he can for himself and his loved ones. Corruption among an elite not only debases standards popularly perceived, but forces people to undertake the underhanded approach out of self-defence. They feel they must

resort to corrupt practices just to get their due, not to secure inordinate returns. This is a classic vicious circle.

10. An important, perhaps overwhelming problem in those nations that have sought to develop economically within a democratic political framework has been the unwillingness of politicians to take actions, which are necessary for development but unpopular with the mass of the people.

A corrupt official or politician is a self-centred individual. Such a person cannot be expected to put the nation before self or to jeopardize his prospects for the sake of prosperity for the whole country in the remote future?. Uncommon political courage can hardly be maintained in an atmosphere of tolerance of corruption.

11. Corruption, since it represents to a common man institutionalized unfairness, inevitably leads to litigation, calumnious charges and bitter grievances. Even the honest official may be blackmailed by the great that unless he act unfairly he may be charged publicly with being corrupt. And there would be few to believe his disclaimer. The attention and energies of official and non-official alike are diverted into endless, unproductive wranglings.

12. Time is important in the making of most decisions; delays can be costly in monetary and human terms. The most ubiquitous form of corruption takes the form of what Indians call "speed money". The wheels of the bureaucratic machine must

be oiled with money, and unless this is done nothing at all will be done. Corruption causes decisions to be weighed in terms of money, not in terms of human need. The poor man with an urgent and just request gets little if any sympathy.

13. One revisionists have argued that peasants or the bureaucrats can be taxed where there is surplus to accumulate capital in case of scarce resources for capital formation. This has been accepted as theoretical postulation in Nigeria, but it was mentioned earlier that such accumulated capital do find its way to overseas banks or used to purchase houses in exclusive areas in London or diverted to non-durable like fleets of fast cars. Studies have demonstrated that the Nigerian comprador bourgeoisie which definitely includes the top civil servants is not an investing one. What has happened is that corruption has infact made the cost of socio-economic transformation too high. Such costs come from the percentage surcharge political bureaucrats demand on contracts, the replacement of costly equipments pilfred from offices, the rebuilding of multi-million naira buildings and their political cohorts burnt down to eliminate traces of their crimes.

14. Another dysfunctional aspects of political corruption has led to non-achievement of the goal oriented task at the prime time the nation needed it most. In general, political corruption has delayed the completion of most of the national



Development Plan as anticipated. For instance, it took Nigeria almost 20 years to accomplish the construction of Petro-chemical and Energy manufacturing industry. The plan, it would be recalled was contained in the first Nigeria's National Development Plan (1962 - 1968) which was subsequently brought up to the fourth Development Plan of (1981-85). The politicization further engendered the series of upward revision of the cost of the contract because it was cut-up by the years' general increase in price level virtually on every facet of the materials to be used. The location site and choice of technical partners also suffered politicization. All the aforcited points therefore contributed to the delay. Thus, corruption by political office-holders and bureaucrats in Nigeria has stigmatized the image of the government, weakened its creditability and reduced the effectiveness of the development programmes and policies which so far have been formulated.

15. Okpara, M. I. stated that the multiplicity of Nigeria's capitalist class through corruption has led to serious problem. He summarizes part of the problems that many things that are happening in the country give cause for serious concern such as reports of embezzlement and misappropriation of public funds, laxity, selfishness and lack of integrity, disloyal activities and gross indiscipline in the body politic,

Consequently, the degerating effects are of course the

underdevelopment of the rural areas, increasing pauperisation of the peasantry, non-payment of salaries to large sections of the working class, proletarianisation of an increasing number of the petty-bourgeoisie, a huge foreign debt, etc. On non-payment of salaries, such effects had manifested itself in Enugu State in that both secondary and primary school teachers were on 'sit-down-at-home-strike' because of non payment of their salaries for the past four (4) months. (July - August 1994). Similar situations with the local government staff, ministries, parastatals, some state universities, polytechnics, etc.

In conclusion therefore, having given the two sides of the 'coin', it is probable that the cost of corruption in less developed countries exceed its benefits; except for top level corruption involving modern inducements and marginal deviations for situations where corruption provide only solutions to several of the more limited problems of development.

CHAPTER V

<sup>1</sup> K. Nkrumah. Revolutionary Path. London: Panaf, 1973  
p. 319.

<sup>2</sup>Ibid, p. 8.

<sup>3</sup>Ibid, p. 15.

<sup>4</sup>Awote Panel's Report on the Recovery of Public Funds and Property, 1984, Appendix, p. 34.

<sup>5</sup>Ibid.

<sup>6</sup>A.A. Nwankwo. Corruption in Anambra State: The Jim Nwobodo Legacy. Enugu: Frontline Publishers, 1983, p. 29.

<sup>7</sup>Ibid. p. 30.

<sup>8</sup>Ibid, p. 30.

<sup>9</sup>C. Oko (ed). "The Turbulent Politics of Import Licence". The President, March, 1986, p. 1.

<sup>10</sup>M. Bakr. "The Almighty Licence Notorious But Inevitable". The President, March, 1986, p. 6.

<sup>11</sup>Ibid.

<sup>12</sup>. Okojie. "Capital Flight - The Function of Fear that makes bankers sick" Sunday Times, January 22, 1984, p. 5.

<sup>13</sup>p. Smith. "Anatomy of the Rice Scandal", New Africa, No. 211, April 1985, p. 17.

<sup>14</sup>Ibid. p. 17

<sup>15</sup>Quoted in Soyinka, K. "The JMB Affair". Newswatch, January 13, 1986, p. 14.

<sup>16</sup>J. Ziegler. Switzerland Exposed (London: Allison and Busby 1978), p. 39.

<sup>17</sup>D. Abiola (ed) "The Rape of Anambra" African Concord, December 4, 1986, p. 18.

<sup>18</sup>K. Soyinka. Op. Cit, p. 15.

<sup>19</sup>Ibid.

<sup>20</sup>Press Release, "Federal Department of Information, Lagos, September 30, 1984, p. 1.

<sup>21</sup>T. Lardner. "Thou Shalt Not Steel", Newswatch, January 13, 1986, p. 10.

<sup>22</sup>R. Ekpu. "Day After the Party". Newswatch, October 5, 1987, p. 67.

23. T. Danjuma, Op. Cit, p. 8.

<sup>24</sup>Quoted in Usman, Y.B. "The Central Role of Corruption in a Developing Capitalist Economy: The Nigerian Experience". (Paper presented at the University of Lagos, Akoka, May 5, 1983; Under the auspices of the Nigerian Institute of Social and Economic Research (NISER).

<sup>25</sup>A.H. Asobie. "The Politics of Nigeria's External Economic Relations - The Problem of Capital Drain from Nigeria: Its Implications for Nigeria's Foreign Policy and the Need for a New Diplomacy in the Year 200. (Paper presented at the All-Nigeria Conference on Foreign Policy - 6th - 13th April, 1986, at Kuru Jos), p. 21.

<sup>26</sup>P.O. Agbonifo, "Corruption: A Number One Enemy of Nigerian Agricultural and Rural Development Efforts: A Paper read at the Annual Conference of Nigerian Association of Sociology and Anthropology on "Corruption and Development, Ahmadu Bello University, Zaria, May 10 - 13, 1982.

<sup>27</sup>Leys, C. (1965) "What is the problem About Corruption?" Journal of Modern African Studies, 3, 2, 1965.

<sup>28</sup>J. Nye, "Economic Development Through Bureaucratic Corruption" American Behavioural Scientist, 8 November 1964, and Nye, J.S. "Corruption and Political Development: A Cost-Benefit Analysis", American Political Science Review, June 1967.

<sup>29</sup>I.B. Babangida, "I am in Control", The African Guardian, June, 1973, p. 23.

CHAPTER SIXSUMMARY AND CONCLUSION

political corruption appear to have become institutionalized in several countries of the world, especially the developing countries. Military coups in Africa have often been explained as an attempt to eliminate political corruption. Thus, each past/present military regimes in Nigeria claim to be a 'corrective regime'. However, Report of Probes reveal also that the military regimes are not either free from the misuse of state power as that of their civilian counterpart.

The efforts so far made to eliminate political corruption in Nigeria have led to series of coups by the military men. In the course of achieving these forceful change of government, top military officers and several highly placed Nigerians have been killed through bloody coups. Others were imprisoned or made to refund their ill-gotten money in addition to the confiscation of their property. They, in the various coups accused the ousted governments of corrupt practices. The attendant forceful change of government notwithstanding, political corruption has remained pervasive both in the military and the civilian government of Nigeria. This tends to suggest that we have not been able to grapple with the factors which generate and sustain the phenomenon in our body politic.

Consequently, we considered it important to address this research project to the problem. In this regard, we

directed our attention to the incidence, ramifications and implications of political corruption in Nigeria.

In order to ensure that we adequately focused on the phenomenon in Nigeria, we formulated three hypotheses as follows:

1. Political corruption is indispensable with capitalistic economic system.
2. Corruption in Nigeria can only be controlled if the policy-makers live by example.
3. Political corruption in Nigeria is the major obstacles to her rapid development.

We also focused on the Second Republic civilian government in Nigeria so as to have a scope of the phenomenon under investigation. Although we choose the Anambra State under Governor Nwobodo as our case study, there is every possibility that what may be obtained in other states might not be different. Consequently, we became convinced that we can generalise beyond the state.

It was discovered that for the governing class all over the country, politics is a lucrative business enterprise, while state power serves as instrument often used for private enrichment, and on a grand scale too. In this light, political corruption is conceived as a mode of property accumulation.

As we observed in our theoretical framework, the state from its formative stage in Africa served as a tool for capital accumulation. The colonial government in collaboration with multinational corporations created the states in their colonies as a means of selling the surplus goods from their home countries, and amassing raw materials and labour at minimum cost. The productive sector of the colonies was utterly neglected. Consequently, economic activities in the colonies were made to depend on economic activities in the metropolitan state. Thus, they made the colonies to be a consumer nation. This trend has continued in post-colonial states like Nigeria. What this suggests is that the metropolitan state granted Nigeria political independence without a corresponding economic independence.

The governing class that emerged after the exist of the colonial government had no viable economic base. They needed to complement political power with economic power. It was this situation that tended to have given rise to their obsessive concern with acquiring wealth and the power which it could bring. Two alternatives appear to have been open to them: (a) the development of the productive sector, or (b) the use of state power to accumulate private wealth. They opted for the second alternative

plausibly because it offered the quickest means of amassing wealth, and on a grand scale too. The underdevelopment of the productive sector and the consequent dependence on foreign economies have combined to make politics of the favour of multinational corporations primary sources of accumulating private wealth for the governing class in Nigeria.

Two main forms of corruption were identified in our literature review. They are 'parochial' and 'market' corruption. The former tends to dominate in a system in which ties of kinship, affection and so forth determine access to the favours of community leaders while the latter tends to transcend parochial ties, and is rather underpinned in an impersonal process in which influence is accorded those who can 'pay' most, regardless of who they are. Market corruption appears prevalent in contemporary Nigerian Society. This tends to explain why those who collaborate to exploit the state cut across ethnic and international boundaries. What appears critical to them is the 'connections' or 'I.M.' (in Igbo parlance, means *Ima Mmadu* or 'knowing someone') that will help them achieve their private calculations, no matter the ethnic group or nationality of the parties involved. However, when members of the same ethnic group or religion find it more convenient



to collaborate in exploiting the state, they unite on such parochial framework.

We grouped the ramifications of political corruption into three broad categories: (a) manipulation of governmental machineries; (b) embezzlement/acquisition of property, and (c) skewed patronage/coercive intimidation. These categories are logically grouped together. It would appear that there is need for governmental machineries to be manipulated by the governing class so as to bend the wheel of government to the satisfaction of its whims and caprices. Nothing was really spared in the effort to bend the wheel of government to their personal advantage. Having succeeded in its manipulations, the governing class then used the state machineries for private-regarding interests. This included outright embezzlement of government funds, and acquisition of other valuables such as land and motor vehicles. The governing class did not only enrich themselves, they also enriched friends, party members and relatives at the expense of the government. Some of those who attempted to restrain the authorities from manipulating the governmental machineries were maltreated or even killed. In this light, we may recall the observation made by Werlin to the effect that officials who do not co-operate in corrupt procedures that have become politically well established might find themselves in serious trouble.

Two complementary issues that attracted our attention in our literature review are the causes and effects of political corruption. With regard to the former, we noted that several writers, especially western writers, could not underline the factors responsible for political corruption in Nigeria. Some of them perceive corruption as a phenomenon that logically developed from the customs of the pre-colonial African societies. It was in this light that we referred to Scott's remark to the effect that accounts of corruption that focus on values argue that 'much of what is considered corruption is in fact a continuation of traditional gift-giving practices ... only the imposition of Western forms had transformed traditional gift exchange into corruption'. This mode of explanation was adopted mainly by writers of the modernization school like Huntington and Apter. In the final analysis, we exposed the weaknesses of such mode of analysis in explaining the causes of political corruption in states like Nigeria. Plausibly, the inadequacies of such explanations as exposed in our literature review may have contributed to the inadequacies of several efforts that have been made to eliminate political corruption from different states of Africa. In the Nigerian context, we stated that the endemic political corruption is underpinned in the socio-economic

formations of the society. More specifically, the phenomenon would appear to be generated and sustained by the character of the governing class and the role of state power as instrument of private property accumulation. Other factors like economic buoyancy and parochial loyalty tend to contribute peripherally to the pervasiveness of the phenomenon. Thus, they should not be used as primary basis for explaining it. We have noted that even when some countries depend on foreign loans for their existence, their leaders still exploit the state to their private advantages. On the other hand, most of the cases of political corruption that have been uncovered are not pitched on the phenomenon of parochial ties. They are rather cases of market corruption.

In respect of the effects of political corruption, we examined the perspectives of two Schools of thought. Primarily, we noted the false assertion made by McMullan that 'Africans show little sense of indignation about often fantastic stories of corruption by leaders'. What such writer appear to be saying is that Africans are not capable of differentiating between the possible negative and positive effects of corruption. This view is erroneous.

On the two schools of thought, one contends that political corruption is entirely non-beneficial, while the other school contends that it is sometimes beneficial and sometimes

non-beneficial, with either of the consequences outweighing the other. The later school adopts the cost-benefit approach.

The contention of the school of thought which holds that the consequences of political corruption are entirely non-beneficial is probably based on the premise that political corruption is exploitative by nature. However, such rigid assumption would not allow concrete experience of the phenomenon in society to provide the premise for examining its effects. This point, therefore, would appear to limit its usefulness. Thus, we considered the cost-benefit approach more useful in the sense that it guarantees a broad scope of understanding and engineers a researcher to probe extensively to elicit whether there are other sides to whatever effects of political corruption that are immediately available to him.

We observed that most of the points often referred to as benefits of political corruption are questionable. The interests of the generality of the people are not considered. On the other hand, scandals associated with the phenomenon would appear to be beneficial to society in the sense of promoting widespread political awareness.

On the negative effects, it would appear easier to detect some countervailing costs of political corruption,

which are detrimental to society. In this regard, we agree with Nye's remark that 'Corruption is economically wasteful, political destabilizing, and destructive of governmental capacity'. In the Nigerian context, some of the negative effect of political corruption which tend to support Nye's remark include political instability, capital drain, and incapacitation of the administrative machineries. Also, St. Peter warned that corruption is the manifestation of evil desires; while Deutonomy 16: 18-20 stated that 'bribery blinds the eyes of the wise and twists the words of the righteous!

One of the major problems the researcher encountered in this study was that of collecting relevant data. Plausibly, the problem stems from the fact that those whose activities constitute the subject of the research are people who have piloted the affairs of government in Nigeria, and as such have known how and where to press buttons to get what they want in the various governmental circles. This tends to explain why the reports of commissions of inquiry deposited in some public libraries and archives could no more be found available. We may recall the allegation of a staff of the National Archives to the effect that the people found corrupt by commissions of inquiry do not spare anything in ensuring that the reports of such probes

are not preserved for public consumption.

Some of the critical documents needed for this exercise are 'classified', that is, the public is barred by legal sanction from having access to such documents. This tends to raise doubt as to whether the government is confident in the reports of such investigations.

Another major set back at the pick of the field work was the degenerated political situation in the country that engulfed the nation following the annulment of June 12, 1993 Presidential General Election. The annulment indeed destabilized activities and demonstrations were being recorded in parts of the country, particularly in the western states. Thus, there were several arrests especially the frontline members of Committee for Democracy (CD) and Chief M.K.O. Abiola - the self-proclaimed president elect of the June 12 election.

These difficulties notwithstanding, the researcher eventually succeeded in coming across some of the relevant documents. The pieces of information tapped from them were found very useful in our analysis.

The data used in this exercise were tapped from reports of Commissions of Inquiry, government white papers, newspaper reports, news reports, interviews, and scholarly publications. Through the interviews, it was possible for the researcher to

come in contact with some of the staff of the bureaucracy and parastatals who had first hand experience of the manipulation of governmental machineries. Some of them found it difficult making comments on the phenomenon under investigation for fear of losing their job. However, those who were bold enough to make comments prayed for anonymity. Furthermore, the researcher's interviews with retired civil servants, ex-legislators and some leaders of the banned political parties, were very fruitful. Through the various sources mentioned above, we accumulated a wealth of data which provided basis for our conclusions.

Thus, the questionnaire method was not either used because majority of the sampled respondents opted for oral interview and those who accepted were very reluctant to complete it.

With regard to the context of political corruption in Nigeria, we noted that the Nigerian state was created through the instrumentality of the colonial government and multinational corporations. The colonizing activities of the colonial powers led to the amalgamation of hitherto existing independent communities into a political unit governed by the colonial authorities. The colonial government co-ordinated activities in the colony on behalf of the government of the metropolitan state, and furthermore,

collaborated with merchants from their home country who exported their surplus goods to the colonies, and in turn, collected raw materials from the colony for use in their home industries. Thus, they created what Hopkins called a triangular trade in favour of their metropolitan states. In this way, the pre-colonial societies of Nigeria were incorporated into the world capitalist economy in a subjugated position. The post-colonial state of Nigeria which emerged in 1960 retained some fundamental characteristics of the pre-colonial societies such as the ethnic phenomenon and the subsistence mode of agriculture.

The Western political system was introduced into the colonial territory as a means of governing the territory. The amalgamation of 1914 invariably demanded a central administrative unit and subsidiary units that would be co-ordinating activities in the entire territory. In addition to the already existing administrative units, the executive and legislative councils were also introduced. It was the introduction of the legislative council that created forum for the introduction of the elective principle into Nigeria. In this regard, a step forward was made toward participatory politics in Nigeria. However, the franchise that was granted was class oriented. By stating that only people with a gross annual income, from all sources, of not less than one hundred



pounds (£100) were qualified to vote, only about 0.75 and 0.1 per cents of adults in Lagos and Calabar townships respectively were qualified to vote. This, therefore, implies that the Western political system at its inception in Nigeria was discriminatory on economic basis. In other words, economic power was made a basic factor for political participation. Although subsequent protests by the indigenous political activists eventually led to the suspension of financial income as basis for franchise, the financial cost of electoral contests in the post-colonial state of Nigeria demands that a candidate for political office would either be economically bouyant or be financially backed by others before he or she could effectively contest for election. This should not be understood to imply that the relationship between economic power and politics in Nigeria is such that economic power has become the determinant factor for electoral success. This is far from being the truth. In fact, it is explicit that ethnicity and religion are sometimes more critical in elections in Nigeria than the economic question.

Our analysis indicates that the governing class in Nigeria emerge mainly from wealthy businessmen and professionals. Their role perception, the amount of money involved in the emolument they carved out for themselves, and the way they abused state power tend to suggest convincingly that they

conceive politics as a commercial enterprise for the enrichment of themselves, their relatives, and clients.

Our third chapter which discusses governmental institutions and political corruption was based on the fact that political corruption results from the nature of the exercise of state power. Thus, it would appear improper to discuss political corruption without situating it in governmental institutions. This point was discussed in detail in chapter three. Suffice it to state here that the institutions of government in the period under investigation were extensively manipulated by the governing class in order to satisfy some selfish calculations.

The three arms of government: Executive, Legislature, and Judiciary - that operated in the Second Republic were expected to guard against the abuse of power in any of the three arms of government. Unfortunately, the governing class, even after they had been voted into offices, still appeared to be regarding themselves as 'party men'. Thus, political affiliation tended to have linked them in such a way that the principle of separation of powers provided for in the 1979 Constitution appeared to have been thrown overboard. Members of the governing class who refused to toe party line were threatened of the withdrawal of party support in the event of the subsequent elections. They were also denied patronages

given to other members of the party. Those of them who did not want to be denied party support and patronages, especially in a system that did not provide for independent candidacy, had to bow to the whims and caprices of the party.

Executive had a lot of powers at its disposal. It played a major role in the appointment of members of the Judicial Service Commission and in the appointment of Judges. Moreover, the Judiciary depended on it for its financial needs.

On the other hand, the legislators expected to check the excesses of both the executive and the judiciary were made up of people, some of whom were in the same party with those who exercised the executive powers.

Furthermore, a good number of the Legislators depended on the Executive for contracts and other benefits. The Chief Executives of the States therefore, appeared to have been placed in a position in which they could exercise executive powers without checks. The effects are enormous. Government funds were outrightly embezzled through manipulation of government accounts. Some 'ghost' accounts were established where government funds were irregularly diverted. Costs of contracts were highly and rampantly inflated and the overpriced value appropriated from the contractors. Government parastatals like Premier Breweries and Nigercem were unduly

politicised and exploited. Some of the Legislators engaged in the scramble for government contracts. In several cases, contracts were awarded, mobilization fees paid, and yet the contracts were not executed. Some of the contracts so awarded received the approval of completion on mere paper evidence, thereafter authorization for the payment was signed and in fact, the contract claim get paid. This assertion was confirmed by Awote Panel as contained in table IV of chapter four. Also, political office holders made claims of allowances for conferences, workshop and short-term in-service training - a course they did never attend.

The assertions of some judges, and how some trials involving the government were handled tend to suggest that there was political interference on the judiciary. This, therefore, suggests that the judiciary was not free enough to guard against governmental excesses involving the Executive and the Legislators.

The reports of the Commissions of Inquiry set up to probe the government of the Second Republic do not provide adequate premise for judging the regimes in detail. Probes on corrupt practices involving top government officials is difficult because of fear of being implicated by the result of the probe. This difficulty raises doubt as to the reliability of using the available data in convincingly

studying political corruption of the Second Republic of Nigeria.

The governing class of the Second Republic emerged through the political party which had influence on the activities of the executive. The government of the Second Republic in which the legislators could frustrate the efforts of the Executive was experienced in Kaduna state. These points tend to suggest that the governing class in the Second Republic had more people with whom to share the spoils of politics. Thus, the governing class was obliged to patronise such non-governmental bodies like political parties and private campaign financiers. In this light, one could observe that the government of the Second Republic of Nigeria had more political leaders who scrambled for private wealth through the instrumentality of state power.

In our analysis of the influence of Nigeria's economic and technological dependency on the phenomenon under investigation, we noted that although Nigeria is recognized to be politically independent, she still depends on foreign economies and technology for her survival.

The governing class has not made much effort to develop the productive sector of the economy. Multinational corporations exploit this situation to their advantage. In addition to importing their goods and services, they also dominate in the critical sectors of the Nigerian economy. For example,

they dominate in the oil industry which is Nigeria's major source of revenue. The same is true of manufacturing and processing, and in the construction of major projects like express roads. Worthy of note also is that expatriate financiers are heavily depended on for loan as could be observed in table IX.

As we noted in chapter four, the nature of the relationship between dependency and political corruption in Nigeria is influenced by the character of the governing class. Both the advanced and underdeveloped countries need, and also, receive both financial and human aids from other countries. However, the critical question is how such aids are used and the interests they are made to serve. In the Nigerian context in which the governing class use state power as tool for private accumulation of wealth, external loans, importation of goods, recruitment of the services of foreign experts, etc., provide more avenues for private accumulation of wealth. Expatriate businessmen and multinational corporations in their transaction of business with the Nigerian government exploit the prevailing situation to assist the Nigerian governing class to siphon money out of the country, a means of creating avenues for enriching themselves. Thus, we concluded that dependence on foreign capital, expertise, and technology accentuated political corruption in Nigeria in the period under investigations.

Thus, the implications of political corruption can be summarized as follows:

1. it incapacitates governmental institution through massive misuse of government funds and waste of skills.
2. it generates unhealthy competition among the aspirants to political offices.
3. it creates new class of wealthy men and strengthens the wealth of those who were already wealthy before ascending the power.
4. it increases sectional cleavages; the result of which is imposition of conflicts, suspicion and loss of confidence.
5. it unduly benefits the ruling class mostly, their relatives and clients at the expense of the masses.
6. it encourages capital drain and subjugates the nation's economy to the whims and caprices of the multinational corporations.

In approaching the problem of political corruption especially in the Second Republic of Nigeria, we have to address our minds to the following specific factors which we have earlier identified as being instrumental to the form and degree of political corruption in Nigeria: (a) Leadership; (b) Checks and balances in government; (c) Main sources of capital for economic activities; (d) Relationship with expatriate economy, expertise and technology, etc.

The leadership of a country has much influence on the course of events in the country. Moreover, the form of corruption which is of interest to us is specifically associated with the leaders of government. In other words, if the leaders of government stop abusing state power, political corruption will become an experience of the past. This therefore, underlines the importance of ensuring that only people of proven integrity and capability should be allowed to pilot the affairs of government.

The ideological orientation of the leadership is not enough to guarantee that state power will not be abused by the governing class. The call to ensure that the institutionalized checks and balances in government are effective, in addition to restructuring the economy in such a way that the major economic activities of the country will be controlled by the government need to be stressed. Since the effectiveness of the checks and balances, to a great extent, depends on the political behaviour of the governing class, the masses have to be properly educated so that they will be well exposed to the qualities of good leadership and the consequences of bad leadership, thereby preparing their minds for using the electoral process to enthrone a responsible; responsive, and effective leadership in government.

Other factors which we identified to be instrumental to political corruption in Nigeria is dependence on state



power as the major source of private capital. Another related factor is the dependence of the domestic economy on expatriate economies, expertise, and technology. These two factors demand the development of the productive sector of the domestic economy, and more concerted effort to achieve technological expertise in the relevant fields.

The advanced capitalist countries, the bourgeoisie have established their business to such an extent that they do not need to depend on state power as source of private capital accumulation. Moreover, they do not need to depend on imported technology and expertise from other countries. Thus, there tends to be far less incidence of political corruption than is experienced in Nigeria. Thus, the present assumed position of Nigeria as a consumer nation should be discouraged for a producing nation. On the other hand, the Soviet Union which stands out as the most advanced socialist country has adopted the strategy of socializing the major economic activities of the country and, discouraging the accumulation of private property in any manner and dimension that could give rise to exploitation, and at the same time encouraging the development of indigenous technology and expertise for the service of the people within the framework of the socialist ideology. These factors tend to make the less developing capitalist states more prone to corruption than the socialist state.

The socialist path appears to be the most worthwhile path for Nigeria. It will drastically curtail the chances of political corruption in Nigeria, in addition to making genuine efforts to promote the wellbeing of the entire people. Much has been written on the need to adopt socialism in Nigeria. However, we need to do more work on how to adapt it to the Nigerian environmental context so as to make it achieve the desired goals.

As part of the efforts to disengage Nigeria from its dependency, there is the need to increase Nigeria's financial and personnel involvement in the business sectors which Nigeria cannot at the moment cope with alone. By limiting expatriate involvement in the domestic economy, it will be possible to checkmate the conduit pipes through which money is drained out of the country. The government will have to set up machinery for importing items into the country, when necessary, so as to limit the use of import licence as certificate for capital drain.

Another area to be stressed is the attitude of the government in the reappointment/engagement of public officers who were previously found guilty of corruption and were subsequently convicted or barred from holding public office for term of years.

For instance:

1. Samuel Ogbomudia, former military governor of Bendel

State who were convicted by Murtala Regime and was later pardoned and appointed Managing Director, Nigeria Railway Corporation.

2. Mr. Seleon Miner, former permanent secretary, Benue State who was formerly convicted for plundering the state between 1968 - 1975 but later pardoned to hold public office as Chairman of the Nigerian Merchant Bank.
3. Alhaji A.B. Umar, who was dismissed in 1976 by Western State government for enriching himself as a Permanent Secretary in the Ministry of Trade and Industries but later appointed a member of the Board of the Nigerian Airports in 1987.

There are many others but to mention a few. We therefore posit that this official double standing create the impression that government's rescension on those found guilty and convicted of political corruption does not in any way serve as a deterrant to others but encourages the practice of the social problem.

It is most likely that political corruption will not be abated in Nigeria, even after executing the measures suggested above, if state power is not disengaged from serving as a tool for accumulating private wealth in Nigeria. This is specifically why we recommended the development of the productive

sector of the Nigerian economy in the context of the socialist framework adapted to the Nigerian environment, and the institutionalization of effective checks and balances in government. Also, our value system where the society places greater credit on ability to acquire monetary wealth than anything else should be realistically debunked.

This project report covered the political corruption between 1979 - 1983 only with particular focus on the then Anambra State under governor Jim Ifeanyichukwu Nwobodo's administration. We suggest that similar detailed research be carried out in other states of Nigeria, both under the civilian and military regimes. It is therefore hoped that such studies when completed shall offer a comparative socio-economic analysis on political behaviour of the Nigerian governing class and the use of state power. The expected result from the further studies shall provide a data-bank for finding a lasting solution to the problem of political corruption across the country.

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ORAL INTERVIEW GUIDE

1. Swearing in of Political Office Holders, what effect do you think it has on the performance of the public duties.
2. As much as possible, briefly comment or appraise the government of President Alhaji Shehu Shagari and Governor Ifeanyichukwu Nwobodo (Anambra State Government) (1979 - 1983).
3. In what ways do you think that political corruption can be held responsible for the slow pace of socio-economic development of Nigeria.
4. Is there any relationship between Nigeria's economic system and corruption.
5. What is your opinion about the political ex-convicts who were later appointed to public offices by subsequent government.
6. Without prejudice to whoever it may concern, and considering the negative effect of corruption on our socio-economic development, what punitive measures do you suggest or assign to any public officers found guilty of the misuse of state power in the execution of official duties.