

Navigating the Cacophony of Human Rights Claims and Chain of Fraud in Nigeria: The Anti-Corruption Perspective

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Abstract: - Since the Buhari administration assumed power, it has earned the people's confidence with its anti-corruption efforts. Making culprits to account for their past unlawful deeds, in a very aggressive manner ever witnessed in the nation's political history, generates different reactions among Nigerians. However, some questions remain pertinent to this study: Are Nigerians really advocating persecution or prosecution in respect of the graft suspects? Do they want conviction without being convinced? Is their outburst propelled by emotions and revengeful anticipation of having suspected looters of the nation's commonwealth behind bars? Can the war be successfully fought without resorting to impunity? After setting the context for this study concerning the trends in the uncovered chain of fraud, the interconnectedness between the anti-corruption war and the rule of law, this study draws from an ongoing prosecution of corruption suspects, particularly those who served in the last administration, and their frequent complaints of violation of fundamental human rights viz-a-viz the activities of the anti-graft agencies. The cardinal objective of this study, therefore, is to interrogate the Buhari administration's anti-corruption war within the context of the rule of law particularly, in relation to those standing trial on the one hand and anxiety for justice by Nigerians on the other hand.

Key Words: Corruption, Rule of Law, Human Rights, Prosecution, Fraud

I. INTRODUCTION

As a complex phenomenon, corruption has been identified as a hydra-headed monster with grievous effects on development, thereby making it a human rights issue both in Nigeria and the African continent. This assertion found merit in the various campaigns being mounted by human right lawyers, activists and scholars in the continent because of the intrinsic effect of corruption on the rights of their people (Nwannekanma, 2014). Corruption is one problem which virtually the whole country seems to disclaim and detest, but which unfortunately is the bane of the country. It is the issue most talked about in the country, particularly in contemporary times, and yet no solution has been found (Niki Tobi, 2008:57). However, making culprits to account for their past unlawful deeds by the present administration, in a very determined and aggressive manner ever witnessed in the

nation's political trajectory, generates different reactions among Nigerians.

Corruption has turned what should be one of the Nigeria's strongest assets-its vast oil wealth- into a curse. Rather than lead to concrete improvements in the lives of ordinary Nigerians, oil revenues have fueled political violence, fraudulent elections, police abuses, and other human rights violations, even as living standards have slipped and key public institutions have collapsed (HRW, 2011:6). The anti-corruption agencies (EFCC, ICPC and Judiciary system) have been unsuccessful due to a lack of commitment, the lack of cooperation between the principal agencies, and the lack of political will to combat corruption. In Nigeria, politicians continue to maintain non-transparent, semi-autonomous, feudal domains and rely on networks supported by financial and economic resources at their disposal (Bamidele et al, 2015:13).

Combating corruption in Nigeria has, therefore, been an uphill task. While many believe that the anti-graft war will remain rudderless until there is a strong commitment from the highest level of government, others argue that the courts have been the greatest cog in the wheel of the anti-graft war. Not unexpectedly, the Nigerian people have justifiably blamed lawyers and judges for frustrating the anti-graft agencies from successfully prosecuting politically exposed persons and other members of the ruling class accused of corrupt practices and money laundering (Oji, Eme and Onyishi, 2014:208). As a matter of observation, trolling the social media, there is hardly anyone who does not think those accused of corruption should be denied bail, given summary trial and hung by their toes. The media itself is awash with columnists, academicians and analysts who brook no caveat or restraining voice from anyone about the rule of law or any other measure that slows down the anti-graft war. Thus, this study becomes imperative because of the centrality of the rule of law to the fight against corruption, not only in Nigeria, but all countries across the globe where corruption is a menace and the bane to their socio- economic development.

What is worrisome, as observed by Chukwuma (2010:ii), is that in spite of popular anger against corruption and bad

governance, which have robbed the collective wellbeing of the people of Nigeria, there remains a lack of national consensus on repulsion against the perpetrators (irrespective of their ethnicity, religion, class and gender) and emergence of a popular movement that is capable of galvanizing the palpable rage of the people and channel it to series of actions and outcomes that challenge the *status quo*. This observation forms part of the crux of this study in view of the renewed efforts being injected into fighting corruption by the present administration. It becomes essential to establish whether corruption, or the war against it, has ethnic, class or religious colouration in the country, particularly among the supposed victims of these acts or the perpetrators or even the prosecutors.

II. THE SCOURGE OF CORRUPTION IN NIGERIA: AN OVERVIEW

Corruption and corrupt practices have a long history in Nigeria. The history of corruption in Nigeria is strongly rooted in the over 29 years of military rule. All the military regimes subdued the rule of law, facilitated the looting of the public treasury, prohibited free speech and instituted a secret culture in the running of government business. The period of this military regime witnessed a total reversal and destruction of every good thing in the country (Ribadu, 2009). Some factors identified as having been instrumental in enthroning corrupt practices include the character of the Nigerian State and its elite, the nature of Nigeria's political economy, the weak nature of governmental institutions, a dysfunctional legal system, a culture of affluence and ostentatious living, extended family pressures; and quite frequently, ethnic loyalties and competitive ethnicity (Agbu, 2003). In his analysis, Joseph (1992:4) further highlights some other variables:

In Nigeria the presence of competitive regional and ethnic blocs of the population, a contest complicated by differences in language, religion and level of economic attainment, have rendered the issue of revenue allocation one of uncommon intensity. It is not a matter of chance that three of the most contentious issues in Nigeria in recent years have a common thread: the actual size of the population and its spatial distribution, the desirable number and size of the constituent states of the federation, and the most equitable revenue allocation system. Each of these three issues can be shown to be linked to the struggle for an

ever-greater share in state power by individuals and groups and for access to the important resources controlled by the state

Corruption has taken a full endemic growth in Nigeria as a country. The reality, as reflected in media reports, is that too many of those who get to the corridor of power as political appointees and as administrators in the nation's public service are morbidly corrupt. It gets more and more ingrained, especially as the economy deteriorates and the rate of crime increases. These corrupt practices, as observed by Okeyim et al (2013:26) "have permeated the entire spectrum of the Nigerian system. Indeed, the military, it has been argued, institutionalized corruption in Nigeria. Of course, the civilian government from 1999 to date has carried on with corrupt practices in diverse ways". Indeed, entrenched corruption in the country hampers political and economic development, undermining institutions and impeding competitive participation in both arenas. Anti-corruption forces and civil society remain weak; formal boundaries and links between politics and the economy are poorly institutionalized and lack credibility, while the real connections and decision processes are the corrupt ones. According to Justice Emmanuel Ayoola (2005), former Chairman of ICPC, "the commonest form of corruption in Nigeria used to be bribery but in recent years this has been overtaken in level of prevalence by embezzlement and theft from public funds, extortion, abuse of discretion, abuse of public power for private gain, favouritism and nepotism, conflict of interest, extortion and illegal political party financing".

In the early years of this republic- for four consecutive years- from 1999 to 2002, Nigeria was classified as either the most corrupt or second most corrupt nation in the world by the Transparency International in its Corruption Perception Index. A Washington-based research and advocacy organization, equally placed Nigeria seventh out of the 20 top exporters of illicit financial flows over a decade, with illegal capital transfers of 19.66 billion dollars (see Randle, 2013:56). This ugly development has entangled the country in a web of stagnation such that the majority of the populace- living in abject poverty as a result of this- did not believe any redemption could come soon. As argued by Yaqub (2007:29), it is corruption that has made many Nigerians more penurious. Over the decades, a vast infrastructure of graft and impunity had taken root, taking in the political class, the business and financial community, traditional institutions, the security services and, sadly, sections of the judiciary and the mass media, the supposed last refuges of the oppressed. The graph below shows the Nigeria Corruption Rank in the last ten years:



SOURCE: WWW.TRADINGECONOMICS.COM | TRANSPARENCY INTERNATIONAL

For some scholars, corruption in Nigeria has moved from prebendalism to predation in which office holders and public officials try to repay their supporters, family members, cronies, ethnic group members etc. with sums of money, contracts or jobs (Lewis, 1996). Dike (2005) argues that: “Nigeria is a society where national priorities are turned upside down; hard work is not rewarded, but rogues are often glorified in Nigeria. In Nigeria, you can hardly enter an office and get your ‘file signed except you drop’ some money. Even the security personnel at the door of every office will ask for (bribe) tip.” The first factor Dike (2005) cites as a cause of corruption is the “great inequality in distribution of wealth.... The brazen display of wealth by public officials, which they are unable to explain the source, points to how bad corruption has reached in the society. Many of these officials before being elected or appointed into offices had little or modest income.” The legislature, judiciary, police, law enforcement agents and other public officials sometime treat cases of corruption with *laisez faire* and lackadaisical attitude especially if such offence involves highly placed and influential persons.

In 2012, an attempt by the Federal Government of Nigeria to remove subsidy on Premium Motor Spirit (PMS) popularly known as fuel opened a Pandora’s Box which stories are still developing till today. On the insistence and prompting of Nigerians that corruption and fuel had been subsidized all along, the House of Representatives set up an ad hoc committee to look into alleged irregularities in the fuel subsidy regime. The committee after its investigation discovered that N1.4 trillion had been unlawfully paid out to the treasury looters. This particular fraud is said to be the most monumental in Nigeria and in Africa considering that it is close to half the annual budget of Nigeria and that of about seven West African countries put together (Oji, Eme and Onyishi, 2014: 214). Nigeria ranks 136 out of 176 countries with a score of just 27 out of 100 on the 2014 Corruption Perception Index; 85 per cent of Nigerians surveyed

believe corruption has increased from 2011 to 2013. Corruption hits hardest at the poor in Nigeria who make up more than 40 per cent of the 179 million people. Global Financial Integrity estimates more than US\$157 billion in the past decade has left the country illicitly. Corruption is everywhere: even the health and medical services, considered the least corrupt government institution, are considered very corrupt by 41 per cent of Nigerians (Transparency International, 2015). Indeed, that Nigeria has remained underdeveloped for 55 years since independence, despite her immense potential and availability of resources, is easily traceable to the deleterious effects of corruption. That is why President Muhammadu Buhari also told a delegation of his party members that visited him in July 2015 that, “If we don’t kill corruption, corruption will kill Nigeria” (See The Punch Editorial, September 29, 2015). According to President Buhari (Cited in Chinweizu, 2015:16), during his inaugural speech:

Corruption in our country is so endemic that it constitutes a parallel system. It is the primary reason for poor policy choices, waste and of course bare-faced theft of public resources...It is the main reason why a potentially prosperous country struggles to feed itself and provide jobs for millions

However, the country’s elite has learned how to use the complicated legal system, its drawn-out legal processes and overburdened courts to develop successful defenses against accusations of corruption or crime. Despite structures introduced to curb it, corruption continues to thrive in Nigeria because the policies and measures were not backed with the necessary political will and sincerity. They are spontaneous mechanisms that often lose steam after attempting to curb deep-rooted or pervasive corruption (Nna and Jacob, 2012:123). Put differently, there is a huge disconnect between

the state and the people. There is a wide gulf between the rich and the poor. Rights and privileges are disbursed not on equal terms but on how deep the pocket is. The law may be an ass but it knows where to apply the brakes: while the goat thief gets maximum sentence with hard labour, the billion dollar thieves often negotiate their way to their loot (Odunuga, 2012). Thus, an atmosphere of impunity encourages venality. The growth in the culture of impunity in public life in the last sixteen years or more must have induced the recklessness of thieves in public service, to the extent that the most recurrent topic among citizens today is corruption of men and women in power (Sekoni, 2016:14). It is therefore, easy to understand why the public sector is characterized by pension crisis, arrears of salaries of civil servants, huge debts to government contractors and suppliers of goods and services, a boom and burst cycle of revenue and expenditure, misallocation and excessive mismanagement of resources, etc (Gashinbaki, n.d:3).

III. THE ANTI-CORRUPTION WAR AND REVELATIONS OF FRAUD

President Muhammadu Buhari has seized every opportunity to reiterate his disapproval of the ills that bedevil the nation while warning officials working in his government that he would not tolerate corruption in any form. Nigerians have witnessed in this dispensation criminal charges leveled against professional politicians, amongst whom are legislators. They have read of reorganisation of public enterprises that have inculpated public officials of corruption (The Guardian, February 9, 2016). Since his election and inauguration, President Muhammadu Buhari has made it clear that the fight against corruption will be a top priority of his government. He has done this effectively by setting the tone at the top, what commentators has dubbed body language. Setting the tone at the top is very important in fighting corruption. It is the way that the top leadership will show from posture, statements and action that corruption will not be tolerated (Igbuzor, 2016). The administration has started making good its pledge to probe the big-time financial transactions of the previous administration with the on-going investigation of arms deals between 2007 and May 29 2015. Already, a 13-man committee constituted to examine the transactions has unearthed what it described as large-scale scams totaling N643.817 billion and \$2.193 billion after a preliminary inquiry (Vanguard, December 25, 2015). With the anti-corruption drive, a number of highly placed government officials, politicians and former officials had been handcuffed and brought to trial to answer corruption charges.

Revelations emerging from the ongoing trial of some notable individuals detail how \$2.1 billion of recovered loot was surreptitiously taken, ostensibly for arms procurement, but apparently liberally shared out among party stalwarts under the notoriously corrupt Goodluck Jonathan government. The immediate past Minister of Finance, Ngozi Okonjo-Iweala, admitted to releasing \$322 million of the recovered loot to the

former National Security Adviser, Sambo Dasuki, claiming that she did so after presidential approval to support efforts to combat insurgency in the North-East zone (The Punch, January 25, 2016). Indeed, the country is currently gasping for breath on account of the debilitating corruption which has, for far too long, thrown the most populous Black Country in the world into an asphyxiating coma (Agekameh, 2015).

So far, fraud has been detected at the Nigerian Maritime Administration and Safety Agency, while investigations are underway at the National Broadcasting Commission and a few other agencies. Given the scale of the rape of the last few years, observers know that the handful of cases now in the public domain represent just the tip of the iceberg. The full magnitude of the pillage is yet to unfold. Nigeria is still reeling from the theft of N1.7 trillion in fraudulent fuel subsidy claims exposed in 2012; from the \$1.1 billion Malabu Oil payout, and from the missing billions at the Nigerian National Petroleum Corporation. Though Global Financial Integrity, an NGO, estimates that about \$109 billion was stolen from Nigeria between 2001 and 2010, another report says about \$80 billion vanished between then and 2015, through crude oil theft, theft of oil and gas revenues and plunder of state funds (The Guardian, January 18, 2016).

In the 2014 audit report submitted to the National Assembly in March 2016, the AGF, Samuel Ukura, gave a chilling detail of a string of irregular or fraudulent expenditures running into trillions of naira involving, notably, the Nigerian National Petroleum Corporation (NNPC), office of the former National Security Adviser, the National Assembly and the Nigeria Police. High point of these is an alleged non-remittance of N3.2trillion by the NNPC into the Federation Account, although other findings are no less revealing of impunity and fiscal brigandage among the players across the board. Other highlights are the Nigeria Liquefied Natural Gas (NLNG) said to have transferred \$235million being the accruals from the review of the NLNG Limited sales profile on gas to some undisclosed Escrow accounts rather than the Federation Account. There was a case of N36.4bn meant for the rehabilitation and construction of dams released to the office of the erstwhile National Security Adviser, retired Colonel Sambo Dasuki, instead of the Federal Ministry of Water Resources (The Nation Editorial, March 21, 2016).

Also cited was the curious N2.9bn spent on the procurement of hand sanitisers for schools and other public places in 2014; N31.3bn spent on subsidy on fertiliser and youth employment in agricultural programmes; the non-accounting for the utilisation of N5.2bn direct deductions from Federal Government shares in respect of one percent Police Reward Fund; the N2.4bn on Group Life Assurance Premium for the Armed Forces; the non-disclosure of N180bn expenditure of Subsidy Re-investment Projects (Sure-P) in the consolidated development fund statement and the illegal withdrawals of N803m from the Ministry of Niger Delta account. There was also the case of the Nigerian Embassy in Washington said to have realised internally generated revenue

of \$3.7m dollars between 2012 and March 2015 but spent the entire sum on sundry expenses; the National Assembly said to have spent a whopping N10.6bn without raising payment vouchers in flagrant violation of financial regulation 601, among others (ibid).

Other numerous cases of corruption, according to the minister of information¹, include 1.9 billion-Naira Special Intervention Ebola Fund Scandal; the Police Equipment Funds scandal in which about 774 million Naira was diverted; the Dasukigate that has so far revealed that 21 individuals benefitted from the scam to a tune of 54 billion Naira; the Pension Scam, in which top government officials in charge of pension funds in the country looted about 273.9 billion Naira from 2005 to 2011 and the fuel subsidy scam, in which Nigeria spent 2.587 trillion Naira on fuel subsidy in 2011, 900 percent more than the 245 billion Naira that was appropriated for that purpose.

The transnational nature of corruption necessitates cooperation within and outside states and it appears Nigeria has realised this. For instance, the Swiss Ambassador to Nigeria, Hans Rudolf-Hodel, confirmed that the European country was set to repatriate \$300 million of the estimated \$4 to \$8 billion stolen by Abacha and his family when he ruled (1993-98) with an iron fist. Recently, President Buhari also sealed an agreement with the United Arab Emirates, whose government pledged to help locate and return stolen Nigerian public funds stashed in the Middle-East country. So far, reaffirmed Rudolf-Hodel, Switzerland has returned \$700 million of the Abacha hoard. Apart from the €7.5 million it returned in 2003, the principality of Liechtenstein returned a further €167 million in 2004/5. A report in the Independent of London in 2007 recalled that Abacha's successor, Abdulsalami Abubakar, recovered the first \$800 million of the stolen funds. Meanwhile, \$458 million is still frozen by the US government (The Punch, January 25, 2016).

Now, several former high-ranking officials in the Jonathan administration have started returning looted funds. Besides, they are begging the Federal Government and the Economic and Financial Crimes Commission (EFCC) to shelve plans to put them on trial. Four of them have refunded N1.4 billion. This sum does not include the N7 billion said to have been paid back to the AVM Jon Ode Committee which investigated about 300 companies and individuals who collected money from the Office of the National Security Adviser without executing the jobs for which they were paid (Alli, 2016:8).

Corruption, according to the United Nations Development Programme, has atrophied development and kept over 60 per cent of the population in poverty. The 40 per cent of all contract sums that the US Department of Commerce estimated to be lost to graft 10 years ago is

believed to have climbed to 100 per cent in some instances as in the Niger Delta Development Commission, where some N183 billion is alleged to have been paid out for fictitious contracts (The Guardian, January 18, 2016). According to Osuntokun (2016:17), "the kind of looting we are being told happened is enough to depress any sane and patriotic Nigerian. The level of looting poses existential threat to this republic. In China some of what happened in the recent past would have attracted ultimate punishment. People walk into the office of the National Security Adviser, sign a piece of paper, and walk out with a mandate to go to the CBN or banks where government has money to go and collect billions for some spurious work for government or the ruling party or for no work at all!"

IV. THE ANTI-CORRUPTION CRUSADE: A CASE OF PROSECUTION OR PERSECUTION?

Understanding the existence and impact of corruption within the Nigerian state requires the conceptualization of corruption within the context of the legal system and administration of justice. It is affirmed that corruption undermines the "ability of States to comply with its human rights obligations because it erodes the capacity and confidence of a State to deliver services to the public. It is also believed that high levels of corruption in a society are likely to disable a State from fulfilling its duties to respect, protect and fulfill the human rights of its citizens" (Mbugua, 2014:233). Since corruption depletes resources available for public spending, the United Nations Office of the High Commissioner for Human Rights has argued that corruption disables States from taking steps to the "maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized" in the International Covenant on Economic, Social and Cultural Rights.

The economically and politically disadvantaged suffer disproportionately from the consequences of corruption, because they are particularly dependent on public goods. In addition, in a society with high incidents of corruption as well as lack of aggressive efforts to hold those responsible accountable, one would also anticipate a high prevalence of human rights abuse at the horizontal level (Mbugua, 2014:234). Corruption makes it possible for human rights violators to go unpunished by enjoying impunity, people do not have access to justice, are not secure and cannot protect their livelihoods. Court officials and the police pay more heed to bribes than to law. Hospitals do not attend to the sick because the medical staff pays more attention to patients who grease their palms. Public clinics lack supplies due to corrupt public contracting procedures. Schools cannot offer their students a sound education because the education budget has been mismanaged, as a result teachers cannot be paid and books cannot be purchased. In numerous ways like this, corruption deprives vulnerable people of income, and prevents people from fulfilling their political, civil, social, cultural and economic rights (Int'l Covenant on Civil and Political Rights,

¹The Minister, Lai Mohammed, revealed this while delivering the Distinguished Guest Lecture of the Faculty of Arts, Obafemi Awolowo University, Ile-Ife, Osun State, on January 29, 2016

1976 cited in Waziri, 2011:11). Perhaps it is logic to ask a question; when does the law protect the rights of all people in Nigeria? Are some groups of people immune from legal control? The broadest obstacle any effort to tackle corruption in Nigeria faces is this: the country's political system is built to reward corruption, not punish it. Too often, corruption is a prerequisite for success in Nigeria's warped political process. Since 1999, elections have been stolen more often than won, and many politicians owe their illicitly-obtained offices to political sponsors who demand financial "returns" that can only be raised through corruption (Human Rights Watch, 2011:26).

In the scenic categorisation of the corrupt practices which spanned three administrations of Presidents Olusegun Obasanjo, the late Umaru Musa Yar'Adua and Goodluck Jonathan, the Minister of Information and Culture, Lai Mohammed, stated that: "15 former governors allegedly stole N146.84 billion; four former ministers allegedly stole N7 billion; 12 former public servants, both at federal and state levels, were said to have stolen N14 billion. Apart from public officials, 19 persons in banking and business were indicted in this looting. Eight of these were banking officials who allegedly stole N524 billion, and 11 businessmen who helped themselves to the tune of N653 billion." (The Guardian, February 9, 2016). Quite possibly, President Buhari is intuitively placing high value on the *cathartic* impact of the disclosures: even before and beyond actual recovery of stolen loot in billions of dollars and trillions of naira, the parade of looters, some of them in handcuffs, digs deep into powerful emotions of symbolic revenge that shaming rituals evoke in the collective mind (Jeyifo, 2016:12). Giving reasons why Nigerians should "own" the war against corruption and using the World Bank rates and costs, Mohammed explained that one third of the stolen funds could have provided:

635.18 kilometres of road; built 36 ultra-modern hospitals, that is one ultra-modern hospital per state; built 183 schools; educated 3,974 children from primary to tertiary level at 25.24 million per child; and built 20,062 units of 2-bedroom houses. This is the money that a few people, just 55 in number, allegedly stole within a period of just eight years....So far, based on what we know, no one who has been accused of partaking in the sharing of the funds has denied receiving money. All we have heard from them are ludicrous reasons why they partook in sharing of the money (Premium Times, Jan 18, 2016).

This may explain the level of support being demonstrated by different organisations in the country. For instance the Nigeria Labour Congress, NLC and the Trade Union Congress, TUC in September 2015, organised mass rallies across several cities including the Federal Capital Territory, Abuja to support the anti-corruption crusade and

even demanding death penalty for treasury looters. Both Unions believe that the death penalty has worked wonders in countries such as China, South Korea, Vietnam, Taiwan and Singapore and should, therefore, produce the same result if implemented in Nigeria. Jeyifo (2016:12) contends that while it would be taking their frustration too far to say that they are against the rule of law, all the same the Nigerian public has become dangerously hostile to abstract invocations of respect for the rule of law. This is why for the most part, they are overwhelmingly in support of Buhari's disregard of the court rulings that granted bail to Dasuki and the other co-accused. This arises from the simple fact that for more than two decades now, Nigerians have seen looters go scot-free and their lawyers grow immensely wealthy on their share of the loot, a hellish harvest of loot that runs into billions of dollars and trillions of naira. In his analysis, Omatseye (2016:48) argues that:

The debate is one of the few where you cannot question the nobility of both sides. Those who call for law want justice. Those who are impatient with the law want to punish the thieves of our patrimony. The war on corruption has revved up the rage in the streets. But it is still a muffled indignation. The Naira figures were stunning, but as billions top billions, we are losing our capacity for shock.

However, it is argued that the prosecutorial practice of the anti-corruption agencies makes a mockery of any commitment to effective prosecution of corruption. The tendency to charge multiple counts - often running into hundreds of counts - of crimes may impress the public and grab newspaper headlines but diminishes the possibility of conviction on any count because it fails to prioritize prosecutorial assets, spreads them too thin, and increases the odds on the likelihood of fatal prosecutorial mishap or error (Odinkalu, 2010:39). The few cases that manage eventually to get to court are frustrated by a combination of legal and procedural technicalities, delay, the peculiarities of an antiquated court system and what appears to be an unusual coincidence of kindred feeling among the Nigerian judiciary for suspects in white collar crime. This is the only way to describe the fact that most suspects in cases of the most egregious corruption in Nigeria invariably make bail and soon thereafter receive judicial blessings to travel for overseas medical attention for unclear ailments, often to the countries where they are alleged to have stashed away their loot (ibid). There are worrying indications, therefore, that this administration is not about to depart from the path of its predecessors as it has adopted the same template that took the country nowhere in the past - a spate of arrests, arraignments, bails and sloppy trials that eventually fade into oblivion (This Day Editorial, March 11, 2016).

In the effort to enhance governance in Nigeria and combat corruption, Odinkalu, (2010:31) opines that public agencies suffer a crisis of credibility - they can no longer be

taken seriously. The belief is widely held that they have been politicized and that rules, where they exist, are not applied except against people who are not in the good books of government. In the war against corruption therefore, Ogunbiyi (2016) argues that the President has a big hurdle to cross. This hurdle is called the rule of law. Universally, the rule of law operates on the legal theory that law should govern a nation and not capricious verdicts of 'powerful' individuals. The rule of law underlines the power and weight of law within society, principally as a restraint upon behavior, including that of public officials. Democracy and the rule of law are mutually interwoven. For democracy to sufficiently thrive in any country, the supremacy of the rule of law must be jealously guarded. Ogunbiyi, however, expresses concern about the capacity of the 'powerful individuals' facing trial to subvert justice or frustrate the judicial process:

Since supposed looters of the treasury have actually acted in defiance of the law, the law must take its toll on them. But it is not really that simple as the rule of the law equally protects alleged looters of the nation's economy from arbitrary persecution and prosecution...This, however, is the dilemma of Buhari in his war against corruption. Over the years, corruption has found comfort in the provision of the rule of law to strengthen its evil hold on the nation. So, all it takes for an alleged corrupt individual to escape from or frustrate the wheel of justice is to hire a brilliant legal luminary who understands the strength and weakness of the law and uses same to the full advantage of his client. Since corruption has given the alleged looter enormous access to ill-gotten wealth, money is not likely to be a problem in the scheme to subvert justice. On the long run, rather than the law taking care of corruption, corruption takes care of the law.

Contributing to the debate, a Lagos-based pastor and former Presidential candidate of FRESH Democratic Party, Chris Okotie (2016:18) contends that "the charge of selective prosecution and the ethnic or religious card being played by some to discredit this anti-corruption war is nothing but a mischievous charade. Those arrested for suspected corrupt practices cut across the party, ethnic and religious divide. Nigerians must therefore, not fall for the antics of the venal rich, who are fighting back, using media propaganda to win sympathy". According to him, he was constrained to raise this point because of a public statement credited to Anthony Cardinal Okogie in which the Catholic prelate expressed reservations about the government's philosophy in prosecuting the anti-corruption war vis-à-vis the Rule of Law and his perceived thinking that other governance issues are not being addressed as should. Tony Momoh (New Telegraph, January 25, 2016), a

former Minister of Information and Culture, put it more poignantly:

People, who diverted money meant to secure the country for personal use are being tried and some people are saying government is not following rule of law in trying them. Which rule of law are people talking about? What is more rule of law than detaining those who have undermined the state? What type of rule of law do people want? I am a lawyer but if for instance someone had bail in regard of a particular offence and still have cases to answer in other courts, he may not be granted bail because one court cannot give bail to someone who has cases in three courts. I don't know where people read their law from.

Considering the fact that politics at the federal, state, and local levels of the Nigerian federation are dominated by the powerful mandarin who built vast patronage networks during the military days and who now use political office to expand these networks and their personal fortunes (Kew, 2006), it might not be difficult to penetrate the Nigerian legal system which is too porous and very susceptible to manipulation by lawyers and their clients. As observed by Agekameh (2015), the lawyers have perfected the practice of invoking all manner of interlocutory injunctions to either impede or frustrate the trial of suspects involved in corruption cases. The EFCC acting chairman, Ibrahim Magu once accused Senior Advocates of Nigeria- SANs and journalists of trying to sabotage the war against corruption by blackmailing the Commission by accusing it of selective prosecution and violating the rule of law in prosecuting those being arraigned on charges of corruption. In his reaction to the criticisms from a section of the populace regarding the application of the rule of law in the on-going anti-graft war, the information minister, Lai Mohammed (See Sahara Reporters, January 26, 2016), called on Nigerians to be vigilant against "sponsored" attacks of the anti-graft war. He also reminded Nigerians of President Buhari's view that if Nigeria does not kill corruption, corruption will kill them. He laments that:

It is saddening that some otherwise credible voices have unwittingly allowed themselves to be railroaded into the bandwagon of pro-corruption orchestra. They engage in sophistry to try to rally Nigerians against the anti-corruption battle...This administration will neither be distracted nor intimidated by anyone into abandoning or weakening the fight against corruption, which is a war of survival for our nation. No amount of media or other attacks will stop the fight. The pseudo-analysts and hack writers will labour in vain in their quest to stop the train of this anti-corruption fight...What are we even

talking about? Is the human rights of the 55 persons more important than human rights of 170 million Nigerians? But again, let me make it clear that we do not disobey court orders.

The irony of the whole situation, however, is that the human rights that so easily allow these people to steal and create untold hardship in the society, is the first thing they invoke as a defence mechanism when the chips are down (Agekameh, 2016:19). Thus, the continued granting of injunctions by judges to protect accused persons from arrest, prosecution and investigation and spurious permission to travel abroad for medical care have been described as deplorable by many civil society groups, showing unflinching support to the anti-corruption war. For instance, a group, Muslims Rights Concern, once called on President Muhammadu Buhari to ignore calls for the release of former officials being tried for corruption. The Muslim Rights Concern (MURIC) frowns at any attempt to make a mockery of the rule of law, stating that “it is only in Nigeria that self-confessed criminals are indulged under the guise of democracy and the rule of law” (Premium Times, 2016). Jeyifo (2016:17) contends that apart from the national shame and embarrassment of being the only country in the world in which interlocutory injunctions are applied to criminal cases-routinely, excessively and frivolously- the real issue is the question of what use this serves in the national and public affairs of the country. Again, the group (MURIC) further questions the veracity of hiding under the rule of law:

How can anyone be talking of the rule of law now when the same rule of law gave those who stole N33 billion police pension fund a pat in the back and asked them to pay N750,000 only! The rule of law guaranteed the freedom of a dictator’s son who laundered N446 billion. The rule of law gave everlasting immunity to a former governor of Rivers State who stole \$500 million. The list is endless... It has always been looting *ad infinitum* and the law had always looked the other way. But now that integrity is in power and it is making thieves accountable, suddenly we find the rogues appearing in court on wheelchairs, some with crutches, all in an attempt to hoodwink Nigerians. Some insist on being allowed to travel abroad just to treat ordinary sore throat...Rule of law without limits will protect, promote and project corruption. It will provide escape routes for kleptomaniacs and put our gallant propagators of the war against corruption in chains...Nigerians should beware of rule of law without borders (ibid).

In response to the anti-corruption efforts of the government, an increasing number of voices have emerged in defence of suspects being indicted for various acts of corruption by the courts of law under the banner of upholding the Rule of Law. This section of the populace feels worried about an impression being created that the fight against corruption is all about demonising some politicians and the political class. Some critics insist that the investigation and prosecution of corrupt officials must be holistic and must go beyond the Jonathan administration even back to 1985. They have complained that only PDP officials are being investigated (See Gbadegesin, 2015). This, according to Leadership Editorial (February 1, 2016), “will not only be unfortunate but a deliberate effort to deny Nigerians the truth about what actually went wrong in the governance structure. The politicians who are now, deservedly, being exposed to all manner of scurrilous attacks did not operate in a vacuum. They have their accomplices in the Ministries, Departments and Agencies (MDAs)”. Akinlotan (2016) contends that the concept (rule of law) is real and practical; it is not subject to negotiation, and must not be swamped by emotions. It is hard and unyielding. It is the foundation upon which a great society rests; it is the rubric by which the society stands and runs; and it is the panoply that shields it from impunity and arbitrariness. Beyond the constitutional and legal provisions that form the rampart of the rule of law, the concept has its metaphysical properties, which a society and its leaders violate at their peril.

Weak and vulnerable institutions of government such as the executive, the judiciary, the legislature, the media and other vital democratic institutions have contributed to political corruption and injustice in the country. In a sense, corrupt institutions imply that the legal and institutional mechanism designed to curb political corruption have been crippled (Etyang, 2014:77). Historically, Nigeria had a rather strong separation of powers between the legislative and executive powers on the one hand, and the judiciary on the other hand, with the latter being able to preserve a considerable degree of independence even during times of military rule. By contrast, a separation of powers between the executive and the legislative arms of government hardly exists, with the executive being much more powerful at federal and state levels than its legislative counterparts.

Long before the present administration, the Nigeria Bar Association had expressed worry over the spate of constitutional breaches by the executive arm of government and security agencies in the country. According to Lawal-Rabana² (2007), the process of imbibing and respecting the dictates of democracy and the principle of Rule of Law became a collective challenge for all democracy enthusiasts, a task force with which the Nigerian Bar Association identified with. The reoccurring decimal (disregard for rule of law and due process and culture of impunity) since our return to

²Rabana was the General Secretary of the Nigerian Bar Association and a member of the Body of Benchers.

democracy in Nigeria, according to him, is the problem of the tendency of Government agencies to disobey Court Orders. This attitude accounts for their selective tendency as regards which court judgment to obey and the ones not to. It also accounts for the disregard for due process in certain activities of the government. According to Odinkalu (Newswatch Times, March 5, 2016)

Nigeria does not have a choice between fighting corruption and respecting human rights. We must do both. The government has a responsibility to ensure that it does not throw legality overboard in its drive for accountability for grand corruption. Allegations of disobedience of court orders have been well founded in some cases. This is unnecessary and counter-productive. The tendency to arrest first before investigating, which is prevalent in police operations, appears also evident in some of the work of the anti-corruption agencies.

Also, early this year (2016), at a Nigeria Bar Association NEC meeting in Jos, Plateau State, the President of the association, Augustine Alegeh, in his speech affirmed that: "The war against corruption is raging on several points. The NBA restates its zero tolerance for corruption policy as well as its commitment to work with FGN and all willing Agencies to contribute its quota in the battle to kill corruption before corruption kills Nigeria. We must also stress that the war against corruption must be fought within the ambit of the law and rule of law at all times be given primacy. The war against corruption can be won within the ambit of the law. There is no need to resort to any other means other than legal means to win the war against corruption." (Njoku, 2016). As a matter of fact, one of the reasons why Nigerians voted for the candidate of the All Progressive Congress, General Muhammadu Buhari (rtd) during the last general election was his promise to fight corruption and end impunity in the country. Upon winning the election, President Buhari further pledged to abide by the Rule of Law. But for Aribisala (2016) the government has deviated from this pledge as it grossly engages in acts of impunity and persecution:

What we have today is a situation where the government is becoming a law unto itself.

Under the guise of fighting corruption, the rule of law is negated and security agents act with impunity; even ignoring court orders. Jonathan administration officials are hounded, harassed and molested, sometimes to untimely death; as happened with Diepreye Alamieseigha. They are tried in the press and declared guilty without the benefit of prosecution or trial.

Corruption, it is argued, seriously distorts efforts made to respect, protect and fulfil human rights, whether civil and political or economic, social and cultural rights. Yet when both human rights and anti-corruption work hand-in-hand for an integrated agenda, then the achievements of both movements to tackle human rights violations and pervasive corruption will be strengthened (Cobus de Swardt, 2010:iii). Olaniyan (2014:4) posits that the fight against corruption in Nigeria fails because the laws are most often approached from a criminal law and enforcement dimension, devoid of human right ingredients that put the victims in focus with guarantees for their human rights protection. He further argues that the application of such a "restrictive approach" is fundamentally flawed, the "approach has proved counter-productive, thus making durable and sustainable solutions to the problem elusive".

It is absolutely important that the government should invoke national and international laws and institutions in the fight against corruption in a consistent and fair manner. However, without cooperation with other countries to recapture and repatriate Nigeria's stolen wealth and resources, Nigeria will continue to witness half-measured and rhetorical commitment in the fight against corruption. Impunity of perpetrators will be the end result. Upholding the rule of law means total commitment to increased transparency and accountability in government, and to the fight against corruption (Falana, 2007). While Nigerians are eager to see the suspects officially linked to these allegations diligently prosecuted and punished, it is argued that a quieter approach, which shields the details from the public until the accused are charged, would help the anti-graft campaign, rather than the seeming trial on the pages of newspapers. Revealing details of the corruption spree before trial, undoubtedly, helps the suspects to either properly conceal their loot and tamper with or destroy the evidence against them.

V. CASES OF ALLEGED FRAUD AND COMPLAINTS OF HUMAN RIGHTS VIOLATIONS³

Accused Persons	Allegations	Human Rights Complaints
Air Chief Marshal Alex Badeh (Former Chief of Defence Staff)	Arrested for diverting N 1.1 billion, among others, meant for Nigerian Air Force (NAF) to buy a choice mansion for himself in Abuja. Also, Badeh and a firm, Iyalikam Nigeria Limited were arraigned on March	"I was detained by the EFCC for three weeks and was not charged to court, but was given onerous bail conditions by the Commission,

³These are selected cases of alleged corrupt practices involving top public officials compiled by the author through media tracking between October 2015 and March 2016.

	<p>7 on a 10-count charge of breach of trust and corruption for allegedly diverting about N 3.97 billion from NAF's account.</p> <p>Other allegations against him include spending of NAF funds to build a shopping mall worth N 878, 362,732; another N 650 million for the purchase of a commercial plot of land and two million dollar on a duplex in Abuja.</p> <p>He was also accused of lavishing N240 million on another semi-detached duplex; buying a duplex for about N260 million for his son, Alex Badeh Jr. and spending N90 million to furnish the duplex.</p>	<p>which I could not meet.</p> <p>I reported to the EFCC when I was invited and would report anytime I am needed. All I ask for is to be given a fair hearing with the rule of law strictly adhered to. It is a media trial and I am being persecuted" (The Nation, March 3, 2016).</p>
<p>Mr. Rickey Tarfa (Senior Advocate of Nigeria).</p>	<p>The EFCC disclosed that Mr. Tarfa had in January 2014 transferred a bribe of N225, 000 to Justice Yunusa. In addition, the agency alleged that Mr. Tarfa had in 2006 collected \$500,000 from one of his clients ostensibly to "the court and EFCC officials." In addition, Mr. Tarfa and four other SANs allegedly "donated" N7 million to launch a book written in honor of Justice Ibrahim Auta, Chief Judge of the Federal High Court.</p> <p>That the Applicant between 27th June, 2012 and 23rd December 2014 paid the total sum of N5,335,000.00 (Five Million Three Hundred and Thirty Five Thousand Naira only) to Hon. Justice H. A. Nganjiwa's personal account number domiciled in Fidelity Bank Plc.</p> <p>Tarfa was earlier arrested in court while performing his duties as a lawyer by the EFCC on the grounds that he was obstructing the course of justice by allegedly shielding two citizens of Benin Republic from justice.</p> <p>Mr Tarfa is accused of blocking the arrest of two suspects wanted in a corruption case by keeping them in his car for nearly six hours on 5 February when they were due to be picked up by the authorities, according to a statement from the Economic and Financial Crimes Commission (EFCC), which brought the case.</p> <p>In the second charge, he is accused of perverting the course of justice by communicating through his personal mobile phone with a judge overseeing a trial between the EFCC and two private companies which he was representing.</p>	<p>Rickey Tarfa (SAN) slammed N2.5 billion suit on the EFCC over his recent arrest by the anti-graft agency for allegedly obstructing investigation. He prayed the court for an order of perpetual injunction restraining all the defendants and their agents from further violating his rights apart from the payment of N20million for the cost of this suit.</p> <p>Tarfa filed a suit seeking a declaration that his arrest and detention by the EFCC on February 5, 2016 was a violation of his fundamental rights.</p>
<p>Retired Colonel Sambo Dasuki, (former National Security Adviser to President Jonathan)</p>	<p>According to the investigative panel's report, the NSA's office was involved in a shady deal that involved the procurement of arms for the military in its fight against insurgency up to the tune of \$2.2 billion. He is being prosecuted for allegedly distributing over \$2.1 billion meant for arms procurement to relatives, friends, political associates and campaign officials of the Peoples Democratic Party.</p> <p>Dasuki is also answering to another 22-count charge bordering on alleged N19.4 billion before the Abuja high court, as well as a five-count charge before the Abuja Division of the Federal High Court bordering on money laundering and his alleged illegal possession of fire arms.</p>	<p>Dasuki had in an application he filed on January 12, begged the court to invoke its powers under section 6(6) of the 1999 constitution, as amended, and discharge him from the case. He anchored the application on refusal by the federal government to release him from detention, despite the fact that he had perfected all the conditions upon which the court granted him bail on December 18, 2015.</p> <p>Dasuki's response, when he finally spoke on the arms procurement deal, was that he did nothing without the authorisation of President Jonathan.</p>
<p>Olisa Metuh (The National Publicity Secretary of the Peoples Democratic Party (PDP))</p>	<p>The Economic and Financial Crimes Commission (EFCC) arraigned Metuh and his company, Destra Investment Limited on a seven-count charge of allegedly receiving stolen N400 million from ex-National Security Adviser, Sambo Dasuki.</p> <p>Olisa Metuh, was slammed with a seven-count corruption charge after being detained for more than one week by the Economic and Financial Crimes Commission (EFCC). The charges, which border on breach of trust, criminal diversion of public fund and money laundering, were filed at the Federal High Court in Abuja.</p> <p>The charge sheet alleged that the PDP spokesman in November 2014 obtained the sum of N400 million through Destra Investment Limited from the Office of the National Security Adviser (ONSA) on behalf of the PDP for campaign activities.</p> <p>He was accused of converting part of the money to \$1 million and diverting</p>	<p>Metuh's counsel, Ifedayo Adedipe (SAN), complained that his client was being held illegally by the EFCC, citing the failure by the commission to arraign him in court within the time stipulated by law.</p> <p>The PDP also described Metuh's arraignment in handcuffs as a "brazen display of authoritarianism" by the President Muhammadu Buhari-led government.</p> <p>His continued detention was described by the Party as a clear breach of Chief Metuh's</p>

	it to his personal use, while another sum of N21.7 million was transferred to another chieftain of the PDP, Chief Tony Anenih	constitutionally guaranteed liberty and fundamental rights.
Bukola Saraki (President of the Nigerian Senate)	<p>The Code of Conduct Bureau slammed a 13-count charge of corruption on the President of the Nigerian Senate, Bukola Saraki.</p> <p>In charge number ABT/01/15, dated September 11 and filed before the Code of Conduct Tribunal, Mr. Saraki is accused of offences ranging from anticipatory declaration of assets to making false declaration of assets in forms he filed before the Code of Conduct Bureau while he was governor of Kwara state.</p> <p>Among other offences, including allegedly acquiring assets beyond his legitimate earnings, Mr. Saraki is also accused of operating foreign accounts while being a public officer – governor and senator.</p>	<p>Saraki, in a motion filed by his lawyer, Kanu Agabi, queried the competence of the charge against him and the jurisdiction of the CCT on the case claiming that he was not accorded fair hearing by the CCB before he was charged with alleged discrepancies in his asset declaration forms.</p> <p>The senate, in a statement signed by Senator Aliyu Sabi Abdullahi, Chairman Senate Committee on media and public affairs, maintained that Mr Saraki's case is not about any fight against corruption but a case of political vendetta.</p>

VI. CONCLUDING REMARKS

Studies have shown that there can be a huge array of anti-corruption institutions, regulations and laws available in a given society and there have been some success stories in fighting corruption. This essay subscribes to the fact that, in curbing the menace of corruption or to ensure effective war against it, there should be a legal frame work that encapsulates the applicable strategies to achieve such. These strategies fall into three main categories: “reducing the scope for corruption through policy change; increasing the costs of corruption through external monitoring and sanctioning; and devising systems to induce self-restraint within government organisations” (Hamilton-Hart, 2001:67). Strategies to limit corruption have to be realistic and achievable and tailored to the needs of particular countries. Corruption is essentially a governance issue. Increased governmental accountability and transparency, enhanced public participation in decision making, strengthened public sector and civil society institutions and greater adherence to the rule of law will not only improve governance but will help counter corruption (Policy Forum - Document on Corruption and Development in Africa, 1997).

In other words, strategies to prevent, detect and penalize corrupt activities must be formulated at both the national and international levels. Worldwide experiences with reforming measures underscore the importance of the role of civil society, the media and the private sector in the fight against corruption. International organizations can also be important allies in conceptualizing an anti-corruption strategy at the national level (Hassan, 2004:35). There is the need to strengthen institutions such as the civil service, parliament and the judiciary, which in turn will create interlocking systems of oversight and self-regulation. All of these institutions have to be free of corruption themselves and active players in the fight against corruption.

Over the years, scholars, activists and international organizations have identified elements which when present can assist in winning the war against corruption. These

elements include: (a). Legislative Framework for transparent and accountable government and for fighting corruption including Freedom of Information Act (FOI Act), Budget law, Fiscal responsibility law, Whistle blowers Act e.t.c. (b). Political will and commitment to fight corruption (c). Comprehensive strategy that is systematic, comprehensive, consistent, focused, publicized, non-selective and non-partisan (d). Protection of Whistle blowers (e). Political Reform to curb political corruption (f). Reform of substantive programmes and administrative procedures (g). Mobilisation for social re-orientation with participation of civil society and faith based organisations (h). Effective parliamentary oversight through the Public Accounts Committee (i). Independent media (j). Adequate remuneration for workers to reflect the responsibilities of their post and a living wage (k). Code of ethics for Political office holders, business people and CSOs (l). Independent institutions, and (m). Movement for Anti-corruption (Igbuzor, 2016).

Some of these elements have also been discussed in this study. What to be noted here, as an addendum, is that there must be a paradigm shift which must begin from the character and conduct of elections, “as no illegitimate government can champion the moral and ethical revolution that Nigeria today desperately needs. The rule of law must be brought to bear on the entire electioneering mechanisms and processes” (Ehusani, 2015). The anti-corruption efforts should not only focus on corrupt practices at the national level, searchlight of the relevant agencies should be beamed on other tiers of government where graft is equally endemic. In other words, all classes of perpetrators of corruption at all levels of government and in the private sector should be exposed and prosecuted. The cautionary words of Justice Emmanuel Ayoola (cited in Falana, 2007), the former Chair of the ICPC are very instructive here:

Let the warning be given that whoever seeks to fight corruption must first understand that practitioners of corruption come in different forms. There are closet practitioners of corruption. They must be

exposed. There are deliberate practitioners of corruption. They must be severely dealt with. There are unwitting practitioners of corruption. They must be educated. There are practitioners of corruption who feel morally justified to practice corruption. They must be corrected. There are practitioners of corruption who re-define corruption to exclude their nefarious conduct. They must be neutralized. There are do-gooder practitioners of corruption who cover corruption with philanthropy in order to ensure an army of beneficiaries who will shield them from being brought to justice when caught in the nefarious act. Their hypocrisy must be exposed to public ridicule. The classification of the practitioners of corruption is endless. Classifying the practitioners of corruption is not a mere academic exercise. To the fighter against corruption, it is an indispensable tool in the formulation of the anti-corruption strategy and policy.

Interestingly, some measures have been put in place by the government to checkmate corrupt practices in the system. For instance, the Federal Government had started the implementation of Treasury Single Account (TSA) with the e-payment component since 2012, while the e-collections components of commenced in January 2015. The first Treasury Circular on e-Collection was issued on the 19th of March 2015. The effective implementation of these policies is yet to happen until recently. Other reforms aimed at improving the quality of the nation's Public Financial Management (PFM) systems are Government Integrated Financial Management Information System (GIFMIS); Automated Accounting Transaction Recording and Reporting System (ATTRS); Integrated Payroll and Personnel Information System (IPPIS); and International Public Sector Accounting Standard (IPSAS). Also, President Muhammadu Buhari has requested the National Assembly to consider two executive bills as part of improved legal framework to fight corruption. The bills are Money Laundering Prevention and Prohibition Bill 2016 and the Criminal Matters Bill 2016. The bills are believed to be part of the enhanced legal approach to Mr. Buhari's anti-corruption war.

Earlier, in August 2015, the administration had inaugurated a Presidential Advisory Committee Against Corruption (PACAC). The Duties of the PACAC headed by Professor Sagay include the following: promotion of the anti-corruption struggle by developing comprehensive interventions in Nigeria's Administration of Criminal Justice System; Engendering Inter Agency Cooperation and Information sharing; promoting the efficiency and effectiveness of the anti-corruption agencies; Examining the workings of the present system of the Administration of Criminal Justice; Seeking to put an end to all orders of

Perpetual Injunctions against the investigation, interrogation, arrest and prosecution of anyone for corruption with the objective that such persons must defend themselves in court and such cases must go through the full trial process; the lifting of all existing injunctions protecting anyone from investigation, interrogation, arrest and prosecution for corruption; and revisiting outstanding cases of egregious corruption and impunity which have been stalled or suspended.

It is a great challenge to President Buhari and the judicial order at the present time to bring respect for the rule of law into a fruitful and transformative relationship with justice (Jeyifo, 2016:12). The Buhari administration, as rightly posited by Omotseye (2016:48), is a product of law and it cannot overthrow that same process without enthrone hypocrisy. In a democracy, the quality of the law prospers on equality before the law. Okotie (2016) however, submits that "it is a mistake to assume, that this is President Buhari's private battle to clean the Augean stable. Rather, it should be seen as a determined effort to right the wrongs of the bad leadership which has been the bane of Nigeria's development for decades". Thus, if it is established that people given the sacred duty of spending public funds to protect the nation and its people actually diverted some or all of the funds to private uses, then the culprits must be brought to face the full weight of the law and proceeds of their criminal activities must be recovered. This should be the beginning of the conscious culture of putting public officers and their collaborators on notice that no one can toy with the vital interests of the nation and get away with it. Therefore, as part of the desired ethical and moral revolution canvassed by Ehusani (2015), it is suggested that:

We need to put in place new arrangements that would ensure that the paths to public service are not as smooth and attractive as they are now for rogues, thieves and brigands, and that the gains of office are not as rewarding as they are today for men and women of easy virtue who have no business in leadership, but who are simply gunning for the keys of the national, state or local government treasury. The desired change will come about only when the various stakeholders in the Nigerian society staunchly reject the ignominious status-quo that throws up for leadership positions men and women of base character and dubious wealth.

What appears worrisome, however, is that when it comes to pillaging the commonwealth at the expense of the teeming Nigerian masses, perhaps the enemies of the Nigeria State have not changed their motives. As one military coupist declared on a fateful day in January 1966: "Our enemies are the political profiteers, the swindlers, the men in high and low places that seek bribes and demand ten percent; those that

seek to keep the country divided permanently so that they can remain in office as ministers or VIPs at least, the tribalists, the nepotists, those that make the country look big for nothing before international circles; those that have corrupted our society and put the Nigerian political calendar back by their words and deeds.” Fifty years after, the gang-rape of the country has only increased, in a geometrical proportion; a trend that seems unrivalled across the globe. Thus, making culprits to account for their past unlawful deeds, in a very determined and aggressive manner ever witnessed in the nation’s political trajectory, may incur the wrath of the thieving-elites- using all strategies in their arsenal to fight back. Yet, the fact remains that their fundamental human rights should not suffer collateral damage if trial follows the dictates of the law. At least, if they are callous and uncivil in their insatiable appetite for primitive accumulation of wealth, the Nigerian State should not. In all intent and purposes, the bottom-line from the views of most Nigerians today is that corruption is a social menace that has to be routed out.

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