

The Judiciary and Anti-Corruption Fight in Nigeria: An Assessment of The Code of Conduct Bureau Under Buhari Administration (2015 - 2023)

ATIGBI, EOZUSIN FREEDOM¹, AJISEBIYAWO, ADEKUNLE SAHEED²

^{1,2} Department of Political Science & Public Administration, Igbinedion University, Okada

Abstract- The fight against corruption has remained an acclaimed priority for every government in Nigeria since re-attainment of democracy in 1999. Corruption has been identified as one of the main spoilers of Nigeria's ambition to achieve the 2030 Agenda for Sustainable Development and, in particular, of its aspiration to lift more than 100 million Nigerians out of poverty by 2030. The efforts at preventing or countering corruption in its various manifestations centers on a fearless and incorruptible judiciary; being the final conscience of the political society but how indeed the Nigerian judiciary have effectively contributed to efforts at combating corruption remains source of open argument. It is in the light of this that this paper set out to examine the role of the Code of Conduct Bureau (CCB) as an arm of the judiciary in anti-corruption fight under the Buhari administration (2015-2023). The CCB was designed by statute to play crucial role in promoting transparency, accountability, and ethical conduct among public officials but the extent to which this has been achieved in the past eight years attracts earnest research. The paper was guided by institutional approach which based its interpretations of efficiency of governmental on the qualities of its salient institutions. The paper utilized both historical and descriptive methods; thus, the research design adopted is historical analysis where data was collected through secondary sources using relevant published documents and content analysis was used as research strategy for examining documents and communication artifacts in the discussion of the subject matter. It was found that the Code of Conduct Bureau (CCB) has, despite being an organisation with significant statutory duties towards the country's anti-corruption efforts as stipulated in both the Constitution and the Bureau's Act, appeared to have performed far below average in terms of its institutional efficiency in tackling corruption among

the public office holders. Meanwhile, the paper associated the shortfalls in public expectation from the CCB to identifiable challenges, one of which is conflict of mandate between the CCB and other anti-graft agencies as well as political meddling in the affairs of the Bureau. As result, the paper recommended among other things, the need to strengthen inter-agency collaboration or create synergy among institutions responsible for combating corruption together with the Code of Conduct Bureau, such as the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and Other Related Offenses Commission (ICPC). These institutions need adequate funding, technical capacity, and independence to carry out their functions effectively.

Indexed Terms- Code of Conduct Bureau, Corruption, Judiciary, Justice System, Politics, Public Service

I. INTRODUCTION

Corruption has long been seen as a serious barrier to the growth and success of countries all over the world. Corruption has long been a problem in Nigeria, a nation renowned for its abundant natural resources and untapped potential. It is an epidemic that has become more or less ingrained in the culture and endangers Nigeria's efforts to prosper politically and economically (Jega, 2005). It has helped to undermine Nigeria's good moral values, culture, and reputation in the international community. It has also helped to cement good governance and consolidate democracy.

Nigeria has created a few anti-corruption institutions in its fight against corruption and related charges, but it doesn't appear that the nation is making progress. Additionally, corruption levels are still high in Nigeria despite the few laws and organisations that have been

set up to combat it (Adelana, 2021). This may be because of institutional or structural failure. In particular, it can be argued that corruption has gotten out of control more so than in any other industry in Nigeria among public officials (appointed, elected, or contracted) (Dede et al, 2021). Therefore, it is thought that the amount of corruption in the nation would be drastically reduced if it could be controlled in the public sector.

Sadly, despite its constitutional existence and specified requirements, the body (Code of Conduct Bureau, CCB) tasked with the principal function of combating corruption in the Nigerian public sector appears to be weak. The Nigerian constitution created the CCB as an autonomous body with the responsibility of promoting and enforcing ethical norms in the public sector and ensuring that public servants uphold the highest standards of behaviour. Its responsibilities include requiring public officeholders to disclose their assets, investigating and prosecuting those who violate the Code of Conduct, and enforcing sanctions for non-compliance.

In Nigeria, corruption, notably bureaucratic corruption, is not only ubiquitous but also plays a significant role in the political system of the nation. The creation of the CCB and its Tribunal was partially prompted by an understanding of the scope of this type of corruption, including its destructive effects and the necessity to combat it. However, the CCB appears helpless in the fight against corruption as its results have not been apparent, particularly given the nation's ongoing anti-corruption initiatives. Thus, the goal of this evaluation is to examine the anti-corruption policies put in place by the CCB as well as the difficulties it encounters in advancing democratic government in Nigeria. We can learn more about the larger issues surrounding corruption and democratic government in the nation by analysing the efficiency of the CCB in eliminating it.

II. LITERATURE REVIEW

The term "corruption" has been given many definitions, probably as a result of the widespread attention it has gotten in society and the fact that academic circles have overused the phrase. The broad definition of corruption is a perversion of a

transformation for good or bad. In particular, breaking the law to benefit oneself or another constitutes corruption or corrupt activity (Adebayo, 2013). Additionally, corruption is defined as the illicit pursuit of riches, power, or personal advantage at the expense of the general public, as well as the abuse of governmental authority for personal gain (Lipset and Lenz, 2000). Additionally, corruption is a behavioural tendency in which a person deviates from the formal obligations of a public role for personal, close family, private clique, monetary, or status gains. It is a behaviour that transgresses regulations and the performance of specific types of (duties) for personal advantage in terms of influence (Nye, 1967). This definition covers actions like bribery (using a reward to influence someone in a position of trust's judgement), nepotism (granting favours based on personal connections rather than merit), and misappropriation (illegally using public resources for personal gain) (Banfield, 1961).

Different people have different definitions of corruption. However, it is a "...abuse of power and public trust and misuse of official positions and responsibilities for self-serving objectives, whether for personal, private, or group gain" within the context of politics and governance (Jega, 2005). As stated by the International Monetary Fund, corruption is defined as abuse of authority or trust for private benefit: and is a temptation indulged in not only by public officials but also by those in positions of trust or authority in private enterprises or non-profit organisations (Wolfe and Gurgun 2000). Corruption is defined by Transparency International as "behaviour on the part of officials in the public sector, whether politicians or civil servants, in which they improperly and unlawfully enrich themselves or those close to them, by the misuse of the public power entrusted to them."

According to the ICPC Act of 2000, corruption encompasses bribery, fraud, and other connected offenses. Without a doubt, the definition of corruption is broad and can encompass a variety of behaviour, such as using one's position for personal gain, pleasure, influence peddling, giving advice that is not honest to get an advantage, working half a day for a full day's pay, being tardy and sloppy, and more. Even though some of these definitions of corruption date back more than a decade, recent events in Nigeria,

where billions of dollars and Naira have been found to have been stolen from the government, have brought these definitions back into sharp focus. Some people in Nigeria may view this as the primary way to quickly amass a fortune. A significant portion of the Nigerian, no, African populace' degree of poverty and misery has been further exacerbated by corruption, which takes many different forms.

Because corruption affects all facets of human interaction and activity, its scope is typically extensive. To maintain clarity and focus, this paper limits its discussion of corruption to that which occurs in both political and administrative positions, i.e. the civil service. Ekumankama (2002) states. Political corruption is when elected officials use their positions of power to enrich themselves significantly and, naturally, to enforce a sit-tight mentality in a way that excludes others. The abuse of a granted political monopoly is another name for political corruption (Ekumankama, 2002).

The following are some additional instances of corruption for the sake of clarity and brevity: bribery; embezzlement; extortion; forgery and perjury; facilitation payments; fraud; kickback; electoral fraud, including rigging; the falsification of results; stuffing ballot boxes; etc.; nepotism; money laundering; blackmail; tax evasion; trafficking in migrants or human beings; smuggling; counterfeiting of currency; corrupt gifts. All of these aforementioned forms of corruption, as observed by Abdulrasheed (2021), once committed by those holding public office, politicians, or bureaucrats, violate and subvert the process of governance, and hence, weaken democracy.

In terms of corruption in the public service, the numerous reports of commissions of inquiry set up by succeeding administrations contain thorough documentation of the various manifestations of corruption in Nigeria. Both the Justice Coker Commission (1962) and the Forster-Sulton Tribunal (1956) shed light on how First Republic politicians utilised their privileged positions to syphon public funds away from state firms and companies to their respective political parties. Along with bribery, nepotism, extortion, election fraud, and other corrupt practices, these politicians were also known to have stolen and misused public monies (Nnoli, 1980). Even

though it was mostly restricted to the political class at the time, corruption had a significant role in the collapse of the Republic after Nigeria's first military coup on January 15, 1967 (Diamond, 1993).

Government officials and their business associates made extensive use of the import licensing system for their financial gain during the 1970s (Ayagi, 1990). Public employees are routinely overcharged for public works contracts, and they frequently engaged in various sorts of extortion and bribery. A court investigation panel found the military guilty of excessively misusing their positions in 1976, leading to the resignation of 10 of the 12 state military governors at the time (Ereho and Oladoyin, 2000). In addition to the court, police, civil service, parastatals, and even universities, the Mohammed regime's (1975–1976) investigation also covered other significant state institutions. It culminated in the removal of over 10,000 officials, many of whom were charged with corruption-related offenses (Ereho and Oladoyin, 2000).

Following a brief lull, large-scale and high-level fraud, diversion, embezzlement, and misappropriation of public funds to finance political parties or for personal enrichment, as well as more brazen inflation of state contracts, nepotism, ostentatious display of ill-gotten wealth, stuffing pay-roll with ghost workers, and electoral malpractices and violence, returned to the forefront with the return of electoral politics. Almost all public officials at this time—both career and political office holders abused their positions of authority in overt ways. According to Lawal and Tobi (2006), political officeholders utilised their positions to syphon and improperly use public funds.

The campaign against corruption in Nigeria has been hampered by several allegations. The Attorney General and Minister of Justice under Buhari administration, Abubakar Malami allegedly exploited his position to dispose of recovered assets worth 4 trillion Naira (\$9 billion) in a secretive way, which is one of the most damning allegations. When he insisted on paying \$418 million to private consultants as a proportion of Paris Club reimbursements from state funds, the Nigerian Governors Forum (NGF) once accused him of fraud and acting against the public interest. The Attorney General authorised his office to

oversee the custody, management, and disposition of all assets ultimately forfeited to the Federal Government by signing a new regulation on asset monitoring and management (Alabi, 2019) on October 24. Later, he established a committee to manage these forfeited assets (Adebayo, 2020). The committee was dissolved by the courts, and the regulation was ruled to be unenforceable (Premium Times, 2022).

III. THEORETICAL FRAMEWORK

The idea that offers an institutional solution to the problem is the subject of this essay. Research and literature on institutional theory have been extensively discussed (DiMaggio and Powell, 1983; Tolbert and Zucker, 1996; Scott, 2001). It has also been connected in many ways to the theory of corruption. This is because it gives context for the interventions that can be pursued to combat corruption and illicit financial flows through tactical prevention and deterrence by strengthening governance and rules, providing support for governmental institutions, and promoting both local and global accountability mechanisms.

As a multifaceted issue that has plagued humanity throughout history, corruption has been combated via a variety of strategies. Institutions have been created in the shape of special agencies, formal laws, community organisations, and combinations with varying records of success to combat the problem of corruption in many societies (Adelana, 2021). For instance, the development of several agencies like the CCB/CCT, ICPC, and EFCC by the Nigerian government under various administrations is one notable example of such initiatives. Institutional theory is thought to be capable of offering a significant opportunity to think about and comprehend the reasons behind and methods for addressing corruption in various contexts, particularly within institutional frameworks (Shleifer and Vishny, 1993; Goddard et al. 2016).

Institutional theory bases its interpretations on features of national and governmental institutions. These qualities include not only the preexisting rule of law but also autonomous anti-corruption agencies with the authority to implement anti-corruption laws to specifically address the problem of corruption in the public sector. Therefore, Scott (2004); Debski et al.

(2018) and Lessig (2018) viewed the institutional theory as examining the processes and mechanisms by which structures, schema, rules, and routines become sufficiently established as instruments of authoritative guidelines for social behaviour. In this instance, the theory incorporates the social context and offers a framework for comprehending how corruption may persist in institutions even in the presence of an anti-corruption framework.

According to institutional theory, insufficient government support, a lack of understanding of the laws, and improper application and practice of these laws all contribute to corruption at the organisational level. Additionally, the theory takes into account the complexity of the administrative system, a lack of institutional transparency, and a lack of commitment to the fight against corruption (Pillay and Kluvers, 2014). The stance of this theory suggests that corruption and lax rule of law enforcement are closely associated. It also demonstrates a link between corruption and generally lax enforcement of official institutions, such as lax observance of the formal rules of democratic politics. According to the theory, efforts to improve governmental accountability, the rule of law, formal justice systems, transparency, and the use of punishment are all important aspects of anti-corruption initiatives (Ijewereme, 2013).

IV. CODE OF CONDUCT BUREAU AND THE ANTI-CORRUPTION FIGHT IN NIGERIA

Before the start of the Second Republic in 1979, and towards the end of the military rule of the Murtala/Obasanjo regime, the Code of Conduct Bureau was founded in Nigeria. The CCB's mandate is stated in the CCB Handbook (2013) as being to "establish and maintain a high standard of public morality in the conduct of government business and to ensure that the actions and behaviour of public officers conform to the highest standards of public morality and accountability." A list of public officials' codes of conduct was included in the 1979 Constitution. Before ceding power to Shehu Shagari in 1979, the military regime of Murtala/Obasanjo established a body to monitor the standards of behaviour established for public officials. However, the bureau was unable to have a significant impact since the National Assembly was unable to enact a statute giving it authority. The

bill passed by Nigeria's National Assembly under the Babangida administration gave the Bureau its legal authority to carry out its task. Additionally, it acquired some durability by being included in the fifth schedule of every succeeding constitution, including the constitutions of 1989, 1993, 1995, and 1999, and the present constitution from 1999 (as amended).

The CCB is the legally mandated body in charge of receiving asset disclosures from public officials, validating them, and bringing legal action against anyone found to have violated the CCT's public officers' code of conduct. It is a Nigerian government organisation with the responsibility of addressing corruption problems, public officials abusing their positions, and conflicts of interest. The assets declaration form is the primary tool used by the CCB to prevent corruption and prosecute cases of corruption involving public employees in Nigeria. The agency's broad mandates include receiving asset declarations, vetting assets, and looking into code of conduct infractions. The CCB has been characterised as a government watchdog with substantial untapped potential, a more constrained anti-corruption mandate, a lower level of dynamic activity than its sister organisations, a small staff, and an insufficient annual budget (Page, 2021).

The Code of Conduct Bureau and Tribunal Act, passed by the National Assembly in 1990, provided the CCB with a strong legal foundation even though it was first founded in 1979, towards the conclusion of the years of military government. The Fifth Schedule, Part I of the Constitution of the Federal Republic of Nigeria (1999) states that one of the CCB's responsibilities is to make sure that public officials adhere to a 14-point code of conduct that forbids them from accepting gifts, private loans, kickbacks, or having conflicts of interest. According to the Code of Conduct Bureau and Tribunal Act (1990), officials found guilty by the CCT may be forced to resign, have their unlawful assets frozen, or be barred from holding public office for up to ten years.

V. MANDATE AND FUNCTIONS OF THE CCB

The CCB is mandated to receive and verify asset declarations from public officers, investigate alleged breaches of the code of conduct, and ensure compliance with ethical standards. It has the power to investigate, prosecute, and impose sanctions on offenders. The CCB's mandate provides a legal framework for combating corruption and promoting accountability.

1. Receiving and verifying assets declarations: The CCB is responsible for receiving and verifying assets declarations made by public officers. Public officers are required by law to declare their assets before assuming office, during their tenure, and upon leaving office.
2. Maintaining a register of declarations: The CCB maintains a register where the assets declarations of public officers are recorded. This register helps to track the assets and financial interests of public officers and detect any irregularities or discrepancies.
3. Conducting investigations: The CCB has the authority to investigate complaints of non-compliance with the Code of Conduct by public officers. It can initiate investigations based on its own discretion or upon receiving a complaint from a member of the public.
4. Asset verification and verification exercises: The CCB carries out asset verification exercises to ensure that public officers' assets declarations are accurate and in line with their actual assets and financial interests. This involves conducting inquiries, obtaining information from relevant sources, and cross-checking the declared assets against the verified assets.
5. Prosecution before the Code of Conduct Tribunal: The CCB has the power to initiate legal proceedings before the Code of Conduct Tribunal in cases of breach of the Code of Conduct by public officers. The CCB presents cases and evidence before the tribunal, which has the authority to hear and determine cases of misconduct and impose sanctions where necessary.
6. Collaboration with other agencies: The CCB collaborates with other relevant law enforcement agencies, such as the Independent Corrupt Practices and Other Related Offenses Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC), to investigate and prosecute

cases of corruption and financial misconduct involving public officers (Code of Conduct Bureau Handbook, 2013).

VI. AN ASSESSMENT OF CODE OF CONDUCT BUREAU IN FIGHT AGAINST CORRUPTION IN NIGERIA UNDER BUHARI ADMINISTRATION

Since corruption is so pervasive in Nigeria and has such a negative impact on both the development of Nigerian society and its reputation abroad, successive administrations have been forced to take extensive measures to combat the issue, including the creation of anti-corruption agencies (Igwilo, 2009; Olujobi, 2017). Ocheni and Nwankwo (2012) make a similar observation and point out that various anti-corruption organisations, both public and private, have been founded to combat corruption and foster improved governance in Nigeria.

The CCB was created to ensure that public servants uphold the highest ethical standards to promote good governance and fight corruption in the nation. In other words, it is described as a separate government organisation in Nigeria that is in charge of monitoring the moral behaviour of public servants there. It has been stated that the Code of Conduct Bureau's responsibility is to uphold probity and accountability in Nigeria, however, despite the CCB's resolve to do this duty, it faces financing and enforcement challenges. In agreement with this claim, Ojiakor et al (2017) argued that the efforts of anti-corruption agencies set up by government regimes before the Obasanjo Administration to help curb corruption and financial crimes in Nigeria did not yield many successful results, leading to the establishment of anti-graft agencies like the EFCC and ICPC.

Anti-corruption institutions are expected to work as hard as they can with the resources they have, even though it may be challenging to locate a local or international anti-corruption agency that can assert that it has enough funding to combat corruption. However, given its low funding, it appeared to be challenging for the CCB to make a significant impact on the nation's fight against corruption (Adelana, 2021). It is abundantly clear from a visit to the Bureau's website that it was created with the mission

to "maintain a high standard of public morality in the conduct of government business and to ensure that the actions and behaviour of public officers conform to the highest standards of public morality and accountability".

The Bureau is required to collect declarations from public officials under paragraph 12 of part 1 of the fifth schedule of the 1999 Constitution of the Federal Republic of Nigeria as amended, which is another source of guidance for its work. The "Education and Advocacy Services" department, which is responsible for the Bureau's efforts to prevent corruption, has promoted the cause of transparency in government and the advancement of an educational system that inspires and fosters virtuous moral and social values as part of its mandate. The Intelligence, Investigation, and Monitoring department is tasked with gathering intelligence reports on public officials' assets and lifestyles; handling all security-related issues; screening public officials for political appointments, national awards, etc.; keeping an eye on any unfavourable social trends that undermine morality and accountability in the conduct of government business; working with faith-based organisations that fight corruption; and so on.

However, a brief look at the Bureau's website would reveal that, like many other government organisations, the Bureau has fallen short in its mission to root out corruption in the country's public sector. For instance, it is unacceptable that the Bureau's website's last updated post was on October 8, 2021, when the Bureau introduced an "Explanatory Manual on the Code of Conduct for Public Officers;" it goes without saying that the most recent tribunal case was the historic one involving the former Senate President, Bukola Saraki, which occurred in 2015. Agi (2022) highlighted that while there have been a few incidents of the Bureau on Asset Declarations being the subject of reports, these reports pale in comparison to the constitutional duty of the Bureau to pioneer and advocate the highest standards of morality and decency in the country's public service. The Bureau is meant to monitor and guarantee public officers' compliance with the Act's requirements as an umpire set up to promote honesty and accountability in the public sector.

To put it mildly, the basic foundation of our public service's decency and accountability is quickly

disintegrating. Within four to eight years of taking office, public employees, particularly political officeholders, accrue riches, and the Bureau has failed to crack the whip to stop future officeholders from engaging in corrupt behaviour. The Bureau must be regarded as the model for public sector accountability and openness in all respects. It is not permissible to willfully disobey existing regulations regarding information accessibility, human resources, budget and audit reports, and citizen involvement. In the 2021 Transparency and Integrity Index (TII) report from the Centre for Fiscal Transparency and Integrity Watch, the Bureau received an 8.13 score and was placed 310 out of 483 MDAs (Agi, 2022). Thus, we might conclude that the bureau has had difficulty carrying out its constitutional mission to ensure public accountability in Nigerian public service.

The Code of Conduct Bureau became more prominent as a judicial institution following the establishment of a number of inquiries into the assets declaration of some political celebrities such as:

- Bukola Saraki (Senate President, June 2015- June 2019)

In 2015, Senator Bukola Saraki, who was the Senate President at the time, faced a trial before the Code of Conduct Tribunal on a 13-count charge bordering on false declaration of assets and non-compliance with the Code of Conduct for Public Officers. A bench warrant had earlier been issued against him, by Justice Danladi Umar, for failing to appear before the Tribunal on Friday September 18, 2015 and Monday September 21, 2015 respectively. Saraki, pleaded not guilty to all the charges read out to him. His lead counsel, Joseph Dauda (SAN), had earlier tried to stop the Senate President from taking his pleas from the dock, but was over-ruled by Justice Danladi Umar. Both Prosecution Counsel and Defence Counsel argued the case in their favour. The case was then adjourned to Wednesday October 21, 2015, after both parties agreed on the date. The Tribunal granted him bail on self-recognition.

However, the Code of Conduct Tribunal discharged and acquitted Saraki of all the 18 charges of false asset declaration and other related offenses preferred against him. The two-man panel of the CCT, led by its Chairman, Danladi Umar, unanimously upheld the no-

case submission, filed by Saraki after the prosecution closed its case with 48 exhibits tendered and after the testimonies of the fourth and the last prosecution witness on May 4, 2017. (The Punch Newspaper, 2017)

- Walter Onnoghen (Chief Justice of Nigeria, March 2017 - January 2019)

In 2019, Walter Onnoghen, the Chief Justice of Nigeria at the time, faced a trial before the Code of Conduct Tribunal on charges related to the alleged failure to declare his assets as required by law. The case led to his suspension and subsequent resignation as Chief Justice.

Onnoghen was found guilty of the six-count charge brought against him by the Federal Government through the Code of Conduct Bureau (CCB) on April 18 2019. The tribunal in a unanimous judgment also ordered the removal of Onnoghen as Chief Justice of Nigeria (CJN) and chairman, National Judicial Council (NJC). He was also barred from holding public office for 10 years for contravening the CCB laws in his Assets Declaration Form. Onnoghen will, in addition, forfeit to the Federal Government, various sums of money found in his five bank accounts with Standard Chartered Bank, having failed to declare them (Punch Newspaper, 2019).

- Godsdan Orubebe (Minister of Niger Delta, April 2010 - February 2014)

In 2016, Orubebe was charged before the Code of Conduct Tribunal for allegedly failing to declare his assets while in office. He was accused of failing to declare a property known as plot 2057, Asokoro, Abuja, while he was a public officer. Orubebe had told the tribunal that the property was no longer his as of the time he went into public service. He said he had sold the property to his creditor; hence he saw no need to declare what was not his.

He was found guilty of the charge on October 4, 2016 and ordered a seizure of the property. However, an appeal court overturned the judgment of the CCT June 14th 2017, ruling that it was clear that Orubebe sold the property even if the title deeds still had his name on them (Premium Times, 2017)

- Sylvester Ngwuta (Justice of the Supreme Court, May 2011 - March 2021)

Justice Ngwuta was charged before the Code of Conduct Tribunal on 8-count charge bothering on false assets declaration on the 26th of May 2017, but 15th of May 2018, the CCT quashed the false asset charges and discharged Justice Ngwuta. The tribunal said Ngwuta could not be tried before it unless he had been subjected to disciplinary processes of the National Judicial Council (NJC) (The Guardian, 2018).

- Adeniyi Ademola (Judge of the Federal High Court, May 2008 - December 2017)

Justice Ademola was slammed with two count charge of non- declaration of assets, contrary to section 15 of the Code of Conduct Bureau and Tribunal Act, Cap C15 Laws of the Federation of Nigeria 2004 and punishable under section 23 (2) of the same Act on January 8 2017. The court held that the prosecution failed to establish a prima facie case against the defendant. The court described the charges as highly speculative and without an iota of merit. Thus, Justice Ademola was discharged and acquitted of all charges brought against him on the 5th of April 2017 (Nigerian Tribune, 2017).

These and other examples showed that the Bureau and its judicial organ, the CCT have not been able to effectively prosecute accused persons of misconduct as public servants, this may be due to variety of reasons or factors which has continued to limit its operation and effectiveness in curbing corruption in public offices.

The foremost shortcoming of the CCB is shortage of manpower. Due to its limited human and financial resources, the CCB has frequently faced difficulties. Its ability to conduct exhaustive investigations and effectively oversee public officials is hampered by a lack of money. This has occasionally caused delays and jeopardized the CCB's ability to combat corruption. According to Adelana (2021), the Code of Conduct Bureau has had gravely insufficient funding in comparison to other anti-corruption organisations in the nation for many years. For instance, the Bureau's current resources were insufficient to travel locally for verification purposes, let alone abroad to verify assets, and this was seen as a severe institutional setback. The findings also indicated that there wasn't enough staff.

For instance, the number of public officials in the nation who should have their assets verified is over 4 million, yet the Bureau only has 1,000 employees. Specifically, the ratio of 1 to over 4,000,000. This implies that there are not enough staff members to effectively handle institutional responsibility.

Idris (2011) and Mahmoud and Adamu (2016) identified lack of institutional capability based on relative factors, and they further linked this to the Bureau's failure to effectively combat corruption in the nation. Currently, the Bureau lacks the institutional resources necessary to effectively combat corruption in the country. This contradicts the core ideas of institutional theory, which contends that for an institution of this kind to function honourably, strong institutional structures, processes, and capacities are necessary. It has been challenging for the CCB to function effectively due to a lack of relevant and adequate institutional capacity to prosecute. The Bureau lacked a standalone, permanent building structure of its own. In every state of the union, including the Federal Capital Territory, it was either operating in rented flats or sharing a building with other MDAs. The issues of insufficient money, a small workforce, insufficient government backing, and a lack of permanent offices were identified as major obstacles impeding the performance of the Bureau among the many difficulties discovered.

The CCB's independence is essential to its performance, yet it has occasionally experienced political meddling. When politicians or other powerful people put pressure on the CCB, it may be difficult for it to take action against dishonest officials, which may result in a lack of accountability. Even while the CCB has the power to look into and punish public servants, the enforcement and prosecution of individuals who have been found guilty of corruption have generally lagged. Low conviction rates are the result of cases frequently experiencing protracted delays and a lack of collaboration between the CCB and law enforcement organisations. Once more, the CCB's jurisdiction is frequently only extended to public officials and members of their close relatives. This limits the CCB's overall effectiveness in battling corruption because people in the private sector or those who are not obligated to register their assets may be exempt from inspection.

The results demonstrated that these issues, along with others, hurt the Bureau's essential duties, particularly those relating to the administration of assets declarations, the verification of asset exercises, the monitoring of compliance, and the investigation of cases involving corruption or code of conduct violations. It is clear from the discussion above that various issues the Bureau faced had the potential to undermine its operational activities and legal obligations. In previous research, several of these issues have also been noted, particularly in connection to other anti-corruption organisations in the nation (Idris, 2011; Ocheni and Nwankwo, 2012; Mahmoud and Adamu, 2016).

Thus, the inability of the CCB to effectively carry out its mandates ensures the sustenance of:

1. Erosion of public trust: Corruption erodes public trust in democratic institutions and processes. When citizens perceive widespread corruption among politicians and public officials, they become disillusioned and cynical about the effectiveness of democratic governance. This can lead to a decline in citizen participation, voter apathy, and a lack of confidence in the democratic system.
2. Undermining democratic values: Corruption undermines the fundamental principles and values of democracy, such as transparency, accountability, and the rule of law. When politicians and public officials engage in corrupt practices with impunity, it erodes the credibility of democratic processes and institutions. This can lead to a loss of faith in democratic values and a perception that those in power are only interested in personal gain rather than serving the public interest.
3. Impediment to policy implementation and public accountability: Corruption hampers effective policy implementation and governance. When public officials prioritize personal gain over public interest, resources meant for development projects and public services are misappropriated or embezzled. This leads to inadequate infrastructure, poor service delivery, and a lack of progress in addressing societal challenges. Corruption creates a vicious cycle where policies and initiatives aimed at promoting democratic governance are hindered or fail to achieve their intended impact.

4. Reinforcing elite capture: Corruption in Nigeria has often perpetuated a system of elite capture, where a small group of individuals or powerful interest groups control resources and decision-making processes to their advantage. This undermines the democratic principle of inclusivity and equal representation. When corruption enables a few to accumulate wealth and power at the expense of the majority, it exacerbates social inequalities and hampers democratic governance.
5. Weakening democratic institutions: Corruption weakens the capacity and effectiveness of democratic institutions. It compromises the independence and integrity of the judiciary, law enforcement agencies, and other oversight bodies responsible for upholding the rule of law and combating corruption. This creates a culture of impunity and undermines the checks and balances necessary for a functioning democracy.

CONCLUSION

This paper aimed at shedding light on the anti-corruption strategies employed by the CCB and the obstacles it encounters in its mission. The primary functions of the Code of Conduct Bureau, which are mostly preventive in nature, appear to have attracted little interest from researchers and media coverage, which in turn has limited public awareness. As Nigeria strives to build a more transparent and accountable society, the Code of Conduct Bureau plays a critical role in combating corruption and promoting democratic governance. However, the challenges it faces are significant and can hinder its effectiveness.

The conclusion of the paper is that the Bureau has, despite being an organisation with significant statutory duties towards the country's anti-corruption efforts as stipulated in both the Constitution and the Bureau's Act, appeared to perform far below average in terms of its institutional capacity. By understanding these dynamics, stakeholders can work towards strengthening the CCB's capacity and addressing the broader issues surrounding corruption and democratic governance in Nigeria. Overcoming these obstacles will contribute to building a more transparent, accountable, and corruption-free society in Nigeria.

Therefore, the paper suggested the following strategies towards reshaping the CCB for efficiency and effectiveness in its anti graft pursuit:

(1) In addition to solving the manpower shortage confronting the CCB by the National Judicial Council (NJC) and the Federal Judicial Service Commission, CCB should also strengthen collaboration with other anti-corruption agencies: Nigeria should invest in strengthening inter-agency collaboration or creating synergy among institutions responsible for combating corruption together with the Code of Conduct Bureau, such as the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and Other Related Offenses Commission (ICPC). These institutions need adequate funding, technical capacity, and independence to carry out their functions effectively.

(2) Sustain whistle-blower policy: Whistleblowers play a vital role in exposing corruption. Robust mechanisms should be established to protect whistleblowers from retaliation and provide them with incentives to come forward with information. This can include legal protections, anonymous reporting channels, and financial rewards.

(3) Improve public sector governance: Effective governance is crucial in reducing corruption. The Nigerian government should focus on enhancing public sector management, including merit-based recruitment, professional training, and performance evaluation systems. Strengthening institutions responsible for civil service administration can help minimize opportunities for corruption. Leverage technology: The use of technology can enhance anti-corruption efforts. This measure should include implementing digital solutions, such as e-governance platforms, electronic procurement systems, and online complaint mechanisms, can reduce opportunities for corruption, increase transparency, and improve service delivery.

REFERENCES

- [1] Abdulrasheed, A. (2021). Corruption and Democratic Governance in Nigeria's Fourth Republic: Myths and Reality. *FUDMA Journal of Management Science*. Volume 4. Issue 1.
- [2] Adabayo, A. (2020). UPDATED: Malami inaugurates committee on disposal of assets forfeited to Nigerian govt. *Premium Times*. <https://www.premiumtimesng.com/news/more-news/425295-malami-inaugurates-committee-on-disposal-of-assets-forfeited-to-nigerian-govt.html>
- [3] Adebayo, A. (2013).. The nexus of Corruption and Poverty in the Quest for sustainable Development in Nigeria, *Journal of Sustainable Development in Africa*. 15(7),225-235.
- [4] Adelana. O. S. (2021). Assessing the Institutional Capacity of the Code of Conduct Bureau and Nigeria's Anti-Corruption Efforts. *CJSMS*. Vol. 6, No 2.
- [5] Aderonmu, J. A. (2009). Civil society and anti-corruption crusade in Nigeria's Fourth Republic. *Journal of Sustainable Development in Africa*, 13, 75-86.
- [6] Agi, V. (2022). Corruption in Nigeria and Code of Conduct Bureau's failure. *Daily Post (July 15)*. <https://dailypost.ng/2022/07/15/victor-agi-corruption-in-nigeria-and-code-of-conduct-bureaus-failure/>
- [7] Ali, Y. (2012), The Evolution of Ideal Nigerian Judiciary in the New Millenium available online at www.yusufali.net/articles, (accessed 24/7/2023).
- [8] Amuwo, K. (1995). *General Babangida, Civil Society and the Military: Anotomy of a Personal Rulership Project*. Bordeaux: Centre d'Etudes d'Afrique Noir, Travaux et Documents
- [9] Anazodo, R., Okoye, J.C. and Chukwuemeka, E.E.O. (2012). Civil service reforms in Nigeria: The journey so far in service delivery. *American Journal of Social and Management Sciences*, 3, 17-29.
- [10] Asein, J. O. (1998) Introduction to the Nigerian Legal System, Ibadan: Sam Bookmann.
- [11] Ayagi. I. (1990). *The frapped Economy*. Ibadan: Heinemann Books. p. 10.
- [12] Banfield, E. (1958). *The Moral Basis of a Backward Society*. Chicago: Free Press.
- [13] BCC News (1 December 2015). Nigeria's Dasuki 'arrested over \$2bn arms fraud'. *BBC News*. <https://www.bbc.com/news/world-africa-34973872>
- [14] Behrend, J. and Whitehead L. (2016). The Struggle for Sub-national Democracy. *Journal of Democracy*, 27/2, pp. 155–69.
- [15] Bekaj, A., (2017). *Introduction, the Global State of Democracy: Exploring Democracy's*

- Resilience*. (First edition). International Institute for Democracy and Electoral Assistance (International IDEA), Stockholm: Sweden.
- [16] Bratton, M. and Walle, N. D. (1997). *Democratic Experiments in Africa*. Cambridge: Cambridge University Press.
- [17] Cincotta, H., (2015). *Democracy in Brief*. U.S. Studies, Woodrow Wilson International Center for Scholars.
- [18] Code of Conduct Bureau (2013). *Code of Conduct for Public Officers: Tips for Monitoring*, Abuja: Code of Conduct Bureau.
- [19] Debski, J., Jetter, M., Möhle, S. and Stadelmann, D. (2018). Gender and corruption: The neglected role of culture. *European Journal of Political Economy*, 55, 526-537.
- [20] Dede, C. H., Umoh, G. and Abue, R. E. (2021). Anti-Corruption and Effective Public Service Performance in Nigeria. IIARD – International Institute of Academic Research and Development, *Journal of Political Science and Leadership Research*, 7(1), 75-86.
- [21] Diamond, L. (1993). Nigeria's Perennial Struggle Against Corruption: Prospects for the Third Republic; *Corruption Reform* 215 (1993).
- [22] DiMaggio, P.J. and Powell, W.W. (1983). The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields. *American Sociological Review*, 48(2), 147-160.
- [23] Ebegbulem, J. C. (2012). Corruption and leadership crisis in Africa: Nigeria in focus. *International Journal of Business and Social Science*, 3, 221-227.
- [24] Ekumankama, D.U. (2002). *Law, Corruption and Other Economic Crimes in Nigeria Today: Problems and Solution*. New World Publishers, Jos.
- [25] Ereho, J. and. Oladoyin, T. (2000). Tackling the Corruption Epidemic in Nigeria, Kempe, R.H. Sr & B.C. Chikulo, eds, *Corruption and development in Africa: Lessons from country case-studies*. London: Macmillan Press, 280-285.
- [26] Goddard, A., Assad, M., Issa, S., Malagila, J., and Mkasiwa, T. A. (2016). The two publics and institutional theory—A study of public sector accounting in Tanzania. *Critical Perspectives on Accounting*, 40, 8-25.
- [27] ICPC (2004). *Nigeria Independent Corrupt Practices and other Related Offences Commission – a Brief Overview*. Available online at URL <http://www.Icac.org.hk/news/issue17eng/button2.htm>
- [28] Idris, M.B.A (2011). *Assessment of the Effectiveness of Anti-Corruption Institutions in the Federal Public Service of Nigeria*. A PhD Thesis, Department of Public Administration, Ahmadu Bello University, Zaria, Nigeria.
- [29] Igwilo, N.C. (2009). Economic and Financial Crimes Commission (EFCC): Assessing the impact of corruption management in Nigeria. *African Journal of Institutions and Development*, IV (5–6), 147–155.
- [30] Ijewereme, O.B. (2013). An examination of anti-corruption crusades in Nigeria: Issues and challenges. *The Quarterly Journal of Administration*, 33(1), 108-127.
- [31] Ijewereme, O.B. and Dunmade, E.O. (2014). Leadership crisis and corruption in Nigerian public sector: Implications for socio- economic development of Nigeria. *International Journal of Public Administration and Management Research*, 2(3), 24-38.
- [32] Jaafar, J. (2016). Ex-President Jonathan's top aide, Waripamowei Dudafa, arrested at Lagos airport. *Premium Times (April 18)*. <https://www.premiumtimesng.com/news/headlines/202028-ex-president-jonathans-top-aide-waripamowei-dudafa-arrested-lagos-airport.html>
- [33] Jega, M. (2005). The Fight against Corruption and Democratization in Nigeria: How little and How late?, Being an earlier version of paper presented as a keynote address at the *Panel Discussion on Democratization and the Challenge of Good Governance in Nigeria, organized by the Forum for Democracy and Good Governance. House of Representatives*, at the „Yar“ adua Centre, Abuja, Monday May 16th .
- [34] Lawal, G. and Tobi, A. (2006). Bureaucratic corruption, good governance and development: The hallenges and prospects of institution building in Nigeria. *Journal of Applied Sciences Research*, 2, 642-649.

- [35] Lessig, L. (2018). *America, Compromised*. Chicago: University of Chicago Press.
- [36] Lipset, S. and Lenz, G. (2000). *Corruption, Culture, and Markets, in Culture Matters*, New York: Basic Books.
- [37] Ludwig, A.L. (2002). *King of the Mountain: The Nature of Political Leadership*. Kentucky: Lexington University Press of Kentucky.
- [38] Mahmoud, U. and Adamu, U. (2016). The Role of Code of Conduct Bureau in Ensuring Probity and Accountability in the Nigerian Public Service. *Social Science and Law Journal of Policy Review and Development Strategies*, 5(1), 210- 218.
- [39] Melaye, D. (2013). Corruption with impunity and insecurity in Nigeria. An open letter to Mr. Barrack Obama, the President, United State of America (USA), through the Ambassador, Embassy of United States of America, Abuja, Nigeria (May 16)
- [40] Nigerian Tribune (2017). Court dismisses corruption charges against Justice Ademola, his wife and others, (April 5, p.3)
- [41] Nnoli, O. (1980). *Ethnic Politics in Nigeria*. Enugu: Fourth Dimension Publishers, pp. 145-149.
- [42] Nye, J.S. (1967). Corruption and political development: A cost-benefit analysis. *The American Political Science Review*; Vol. 61, No. 2 (Jun., 1967), pp. 417-427 (11 pages) <https://doi.org/10.2307/1953254>
- [43] Obilade A. O. (2007). *The Nigerian Legal System*. Ibadan: Spectrum Books Limited.
- [44] Obilade, A. O. (1979). *The Nigerian Legal System* Ibadan: Sweet & Maxwell.
- [45] Ocheni, S. and Nwankwo, B.C. (2012). The effectiveness of anti-corruption agencies in enhancing good governance and sustainable developmental growth in Africa: The Nigeria paradox under Obasanjo administration, 2003-2007. *Canadian Social Science*, 8(3), 16-21.
- [46] Ogbu, O. N. (2007). *Modern Nigerian Legal System*(CIDJ AP Press, Enugu, 200-202.
- [47] Ojiakor, I.P., Anisiuba, C.A. and Nnam, I.J. (2017). Appraisal of the Activities of AntiGraft Agencies towards Curbing Corruption and Financial Crimes in Nigeria. *IJSAR Journal of Advanced Management and Social Sciences (IJSAR-JAMSS)*, 4(3), 196-216.
- [48] Okibe, H. B. and Eneasato, B. O. (2020). Corruption and Democratic Governance in Nigeria: An Incompatible Marriage for National Development. *African Journal of Politics and Administrative Studies (AJPAS)*, 13(1).
- [49] Olujobi, O.J. (2017). Legal framework for combating corruption in Nigeria – The upstream petroleum sector in perspective. *Journal of Advanced Research in Law and Economics*, 8(3), 956.
- [50] Osabu-Kle, D. T. (2000). *Compatible Cultural Democracy: The Key to Development in Africa*. Peterborough: Broadview Press.
- [51] Page, M.T. (2021). Innovative or Ineffective? Reassessing Anti-Corruption Law Enforcement in Nigeria. WORKING PAPER 9, Gi-Ace Project: Fighting High-Level Corruption in Africa: Learning from Effective Law Enforcement.
- [52] Pillay, S. and Kluvers, P. (2014). An Institutional Theory Perspective on Corruption: The Case of a Developing Democracy. *Financial Accountability and Management*, 30(1), 95-119.
- [53] Premium Times (2022). Court nullifies AGF Malami’s committee on sales, disposal of recovered assets. *Premium Times*. <https://www.premiumtimesng.com/news/top-news/528862-court-nullifies-agf-malamis-committee-on-sales-disposal-of-recovered-assets.html> (May 10)
- [54] Preimum Times Nigeria (2017). CCT Trial: Appeal Court acquits Orubebe, (June 15, p.12)
- [55] Sanusi, A. (2022). EFCC uncovers another N90bn fraud involving suspended Accountant-General. *Punch Newspaper*, (May 30)
- [56] Scott, R. W. (2004). Institutional Theory. In G. Ritzer (Ed.), *Encyclopedia of Social Theory*. Thousand Oaks, CA: Sage.
- [57] Scott, W.R. (2001). *Institutions and Organizations* (2nd ed). Thousand Oaks, CA: Sage.
- [58] Shleifer, A. and Vishny, R. W. (1993). Corruption. *Quarterly Journal of Economics*, 108 (3), 599-617.
- [59] The Guardian (2018). CCT discharges Ngwuta over false assets declaration (May 16, p.1)
- [60] The Punch (2019). CCT Finds Onnoghen guilty, bars him from public office for 10 years, (April 19, p1)

- [61] The Punch (2017). Saraki's acquittal: Dance of twist at CCT, (July 20, p.4)
- [62] Tolbert, P. S., and Zucker, L. G. (1996). *The Institutionalization of Institutional Theory*. Handbook of Organization Studies, 175-190.
- [63] Wolf, T. and Gürgen, E. (2000). *Improving governance and fighting corruption in the Baltic and CIS countries: The role of the IMF*. International Monetary Fund. http://www.imf.org/external/pubs/ft/issues/issue_s21/