

**ANALYSIS OF THE CONSEQUENCE OF ECONOMIC CRIMES AND CORRUPTION
IN NIGERIA**

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Abstract

Corruption and all forms of economic and financial crimes in Nigeria are pervasive. All efforts by successive governments to either fight or reduce this humongous menace have proved abortive. The study examined Analysis of the consequence of Economic Crimes and Corruption in Nigeria. The objective of the study is to identify the forms of corruption and types of economic crimes in Nigeria, to ascertain the extent of corruption and economic crimes and to assess the causes of corruption and economic crimes in Nigeria. The study used the descriptive (trends analyses) and Analysis of Variance (ANOVA). The study adopted the Modernization Game Theory. The significance of this study will be beneficial to civil servants in the public sector, Law enforcement agencies, public office holders, researchers, bankers, accountants and the general public. The findings of the study is that the long time reign of corruption in the country has impacted negatively on economic growth in Nigeria and it has also decayed or deteriorated the country's cultural values. The study therefore, recommends that the Nigerian government should advance the use of anti-corruption agencies such as; Independent Corrupt Practices Commission (EFCC) to properly investigate corrupt practices and to apportion appropriate sanctions. There should be re-orientation process in education system in Nigeria that would lead to redemption or retrieval and salvaging or restoring of the country's national character and image.

Keywords: Corruption and Economic Crime

Introduction

Economic crimes has been described as the manifestation of a criminal act done either solely or in an organized manner with or without associates or groups, with an intent to earn wealth through illegal means, carrying out of illicit activities which violate the laws of the land and other regulating statutory provisions governing the economic activities of the government and its administration. It can erode the confidence in the system of a country; threaten the integrity of government, its programmes and institutions, thereby undermining national security, law and order. Hence, the overwhelming presence of

economic crimes can make such a country unattractive to investors (Okolie, 2006).

Corruption is efforts to secure wealth or power through illegal means for private gain at public expense; or a misuse of public power for private benefit. Corruption is like cockroaches, it co-existed with human society for a long time and remains as one of the problems in many of the world's developing economies with devastating consequences. Corruption as a phenomenon, is a global problem, and exists in varying degrees in different countries (Luna, 2002). Corruption is not only found in democratic and dictatorial politics, but also in feudal, capitalist and

socialist economies. Christian, Muslim, Hindu, and Buddhist cultures are equally bedevilled by corruption (Dike, 2005).

Irrespective of the sophistication of the methods adopted by criminals, the common characteristics of the crime include cheating, lying and stealing. Corruption is a menace in the public sector, although is a global malaise, the extent of its reach in the public sector was tragically stupendous. All indicators showed that the spread of this cancer had become frightening. The menace of corruption leads to slow movement of files in offices, police extortion at tollgates and slow traffics on the highways, port congestion, queues at passport offices and gas stations, ghost workers syndrome, election irregularities, among others. Even that made people on the street recognizes the havoc caused by corruption, the funds allocated for their welfare disappearing into the thin air. Corruption is endemic in all governments, and that it is not peculiar to any continent, region and ethnic group. Corruption is found in democratic and dictatorial politics; feudal, capitalist and socialist economies.

According to Lewis (1994) and Beekers (2012), Nigeria is often classified as a Neo-Patrimonial state and these particular characteristics have serious implications on the social mechanisms enabling corruption in the country. Patrimonialism is defined as a social and political order where patrons secure the loyalty and support of clients by granting benefits from their own or state resources while Neo-Patrimonialism gives rise to a 'hybrid' state which often fails to guarantee the universal and fair distribution of public resources. Corruption in Nigeria manifest itself in different ways, both on a micro and macro level, and it occurs at all levels of society. According to the report by (Amundsen I, 2010), the types of corruption in Nigeria are; rent-seeking, embezzlement,

conflict of interest, bribes and kickbacks, nepotism and cronyism, corruption in provision of services, political patronage, and electoral corruption, among others.

As quoted by Okoroafor and Njoku (2012), value re-orientation is aimed at inculcating good values that can help Nigeria out of her numerous predicaments which can refocus the nation toward greatness. The Nigerian government has therefore put in place several efforts to orientate Nigerians to imbibe and instill the culture of virtue and to shun immoral acts.

Ojaide (2000) submits that there is an alarming increase in the number of fraud and fraudulent activities in Nigeria emphasizing the visibility of forensic accounting services. Therefore, many foreign investors have lost several billions of dollars to fraudsters thereby leading to reduction and negative consequences on economic growth and development. Appropriate legislation was enacted to criminalize all corrupt conducts including unjust enrichment. Key institutions like Independence Corrupt Practices Commission (ICPC), Economic and Financial Crime Commission (EFCC) were established to fight corruption.

Conceptual Clarifications

Corruption

The word corruption is from the latin word *corruptus*, the past participle of *corrumpere* to destroy (com means intensive while *rumpere*, to break). Corruption is defined according to Oxford Dictionary, the process of being corrupt, or condition of being corrupt, a deformed or alter form of a word or phrase, dishonest or impurity.

Ribadu (2004) asserted that corruption and economic crime cases are usually very complex and complicated. Some involve documents or subjects that are very technical requiring a well schooled investigator to unravel. Therefore, forensic accountants are required to compliment the effort of anti –

corruption agencies. Consequently, there is a general expectation that forensic accounting should be able to stem the tide of financial malfeasance witnessed in most sectors of the Nigerian economy. However, there has not been adequate emphasis, especially survey evidence on how forensic accounting can help curb financial crimes beyond the several anecdotal views that abound. Corruption is the efforts to secure wealth or power through illegal means private gain at public expense; or a misuse of public power for private benefit. (Lipset and Lenz 2000).

Types of Corruption

There are various kinds of corruption in the Nigerian public sector but this study as earlier stated is concerned with street level corruption which takes place in the cause of policy administration in the Nigerian public sector. This kind of corruption occurs as a result of bureaucrats applying their judgment in the execution of policy statements of government which have been vested on them by the constitution (Dike, 2005).

If not checked, bureaucratic discretion can result to corruption. This is because bureaucrats can decide to treat some citizens unjustly. Street level corruption manifest in various kinds which include the following:

1. **Bribery:** This is the act of giving money in cash or kind to induce public office holders to act in ways contrary to their oath of office (Dike, 2005). In the Nigerian public sector, bribe is rampant in the cause of implementation of policy statements of government. Common bribes include; inducement to pay reduced taxes and licenses, influencing government's choice in contract bid, allocation of government incentives, such as subsidies to private organizations or individuals and access to pensions or unemployment insurance. Bribes can differ in size, kind, and the amount a public office holder can benefit from accepting to compromises his /her oath of office (Moseley,

1999 cited in Okekeocha, 2013). Other kinds of street level corruption according to Moseley (1999 cited in Okekeocha, 2013) are:

2. **Grand corruption:** This involves global business transactions. Here bureaucrats and politicians collaborate with international organizations to defraud the government in a particular business transaction for their own benefits.

3. **Minor corruption:** This occurs when a person or group of persons seek franchise or service from the government in an illegal way, this might not have much influence on the country but at the long run can result to negative consequences on the government. This can reduce the resources which would have been shared to the masses as to improve their economic wellbeing. Often times, people who engaged in grand corruption make news headlines of newspapers and other media outfit, but when analyzed, the sum of petty corruption outweighs the total cost of grand corruption.

4. **Public sector fraud:** This is another type of bureaucratic corruption whereby individuals look for ways to take undue advantage of government grants and services for their selfish gain. This type of fraud involves stealing public money, which may affect the generality of the masses. Public office holders who take part in such act take advantage of the public and obstruct the delivery of the right public goods and services to the citizenry.

5. **Embezzlement:** This occurs when public office holders steal funds from the government offices where they are working. This is the most common way public office holders in Nigeria accumulate public funds for their own selfish gains at the detriment of the masses.

6. **Public sector extortion:** This kind of street level corruption is concern with the extraction of public resources and other income through the use of force or violence.

For instance, police and custom extortion on the highways.

7. Lastly, public office holders most times adopt favoritism as a means of misuse of power, this happens when there is extremely prejudiced in the distribution of state funds. Public office holders in Nigeria often use their position of authority as a means to favour their friends, families and other well wishers.

Causes of Corruption in the Nigerian Public Sector

According to Ene, Arikpo, Williams and Dunnamah (2013) the following are the major causes of corruption in the Nigerian public sector:

1. Inability of government to pay salaries and allowances of workers

As a result of the economic recession raving Nigeria since 2016, government at all level is yet to pay many of their workers arrears of salaries and allowances. These civil servants whose salaries are owed still have they basic needs like, food, shelter, health care services, transportation and their families to take cater for not minding the current economic hardship in the country, as a result, these workers can easily compromise their offices to satisfy their immediate needs.

2. Greediness

Man's insatiable nature over material possession is also another major factor responsible for corruption in the Nigerian public sector. Most of these public office holders are so greedy and as such, are never content with whatever they have. Majority of these workers also see their office as a means of accumulating wealth for themselves and their immediate families while the citizens are left in abject poverty.

3. Godfathers

Majority of the public office holders have their political godfathers who will never allow them to be prosecuted even when cut in the act of corruption and therefore, people with

such immunity, handle their offices and government businesses as though it were their personal businesses thereby encouraging the widespread of corrupt practices.

4. Ethnic Sentiment

These days, politicians use government offices to compensate people from their ethnic extraction not minding their level of competence and whatever act of corruption committed in their various offices are not regarded as corruption.

5. Lack of Proper Motivation

Most workers in the Nigerian public sectors are generally not properly motivated so as to boost their morale in the cause of their duties. Some of them are even out rightly denied of their promotions and other incentives.

6. Nature of the Nigerian Society

In the Nigeria society corrupt public offices holders are celebrated in their communities. They go as far as giving them chieftaincy titles and other privileges, even in different churches today members who are known to be corrupt are given front sits in church and as well as different church titles.

7. Lack of Proper Accountability

In the Nigeria public sector, the issue of lack of proper accountability has become a thing of serious concern. This is because it is the bane of all other forms of corruption currently spreading in the public service. Corruption fight would never be won if the key players in the economy are not held accountable to the masses and government businesses carried out in open and transparent manner.

Reasons why the fight against corruption in Nigeria is not working:

Lumumba (2013) pointed out that the greatest challenge for anti-corruption commissions in Africa is centered on political interference due to lack of political leaders and officers to fight corruption. The challenges which plague anti-corruption institutions in Nigeria include the lack of adequate funding, political interference and judicial bottlenecks.

In this respect, Waziri (2010) postulated that anti-graft agencies are also ill-equipped to combat corruption in the country due to the absence of autonomy, unequal treatment, institutional factors, lack of judicial power, inadequate database and lack of political will towards the fight against corruption (Waziri, 2010). The fact is that they are good in publicising the names of corrupt individuals instead of punishing them. The anti-corruption institutions are simply inefficient in carrying out their responsibilities.

These anti-graft agencies were unable to persecute an adequate number of top public officials. This is the main deterrence to campaign against corrupt practices in Nigeria. It demonstrates that there are exceptions or untouchables among Nigerian citizens that the long hands of the law cannot get to or capture (Justine & Okoye, 2014). Beside these measures, the country has consistently occupied the most corrupt position among all countries in the global arena. This is due to inadequate institutional approach, socio-economic reforms as well as poor political will to implement anti-corruption laws (Ogundiya, 2009).

In fact, the general challenges for the anti-corruption strategies encompass the lack of institutional framework and autonomy for anti-graft institutions to prosecute the culprit in accordance to the extant regulations. A weak judicial system, absence of severe or soft punishment, and government interference into the activities of anti-graft institutions are among the other challenges which exist today. Moreover, other contributing factors include bad leadership, paucity of funds, absence of a comprehensive database, lack of autonomy and needs to reform the public sector (Waziri, 2010; Justine & Okoye, 2014). These hurdles are the great ailments that interfere with the strategies set out by anti-graft institutions in fighting against corruption in the country.

Agents established for combating corruption in Nigeria

i. Economic and Financial Crimes Commission (EFCC)

The Economic and Financial Crimes Commission (EFCC) was formed in 2003. It is a Nigeria law enforcement agency that investigates financial crimes such as advance fee fraud (419 Fraud), corruption, money laundering etc. It was established partially in response to pressure from the Financial Action Taskforce on money laundering (FATF), which named Nigeria as one of 23 countries non - cooperative in the International Community's efforts to fight money laundering. The Agency has addressed financial corruption by prosecuting and convicting a number high profile corrupt individuals ranging from Nigeria's former chief law enforcement officer to several Bank Chief Executives.

ii. Independent Corrupt Practices and Other Offences Commission (ICPC)

Independent corrupt practices and other related offences commission was inaugurated on September 29, 2000 by former Nigeria President, Chief Olusegun Obasanjo (GCFR). The commission is at the hub of Nigeria's fight against corruption. The main duty of the commission is to receive complaints, investigate and prosecute offenders. Other duties include education and enlightenment of the public about and against corruption and related offences. The commission also has the task of reviewing and modifying the activities of the public bodies, where such practices may aid corruption.

Economic Crimes

Okolie (2006) described economic crimes as the manifestation of a criminal act done either solely or in an organized manner with or without associates or groups with an intent to earn wealth through illegal means, carrying out of illicit activities which violate the laws

of the land and other regulatory statutory provisions governing the economic activities of the government and administration.

Adegbite and Fakile (2012) asserted that forensic accounting is a financial (monetary) move towards controlling and resolving crimes (economic and financial) in the economy of Nigeria. To them, in the financial statements forensic accounting provides investigative accounting. Stanbury and Paley-Menzies (2010) sees it as a science that is used in information assembling and presenting in a way that is acceptable by a court having jurisprudence that is not in favour of economic and financial crimes perpetrators. Howard and Sheetz (2006) asserted that the emergence of forensic accounting in recent times was in response to the development of the rising occurrence of frauds and malpractices in corporate management.

Types of Economic Crimes

Economic crimes are indeed a serious threat to the public sector and therefore a threat to the nation since the public sector is the heart of the nation. The existence and prosperity of a nation can be held to ransom by the activities of economic crimes perpetration. Some forms of economic crime are advance fee fraud, fraud, money laundering and embezzlement of government funds; these are explained below.

i. Advance Fee Fraud

Advance fee fraud is a criminal offence defined and punishable under section 419 of the Nigeria criminal code. Statutory section 419 of the criminal code of Nigeria provides thus any person who by any false pretence and with the intent to defraud, obtain from any other person anything capable of being stolen is guilty of felony and is liable to 3 years imprisonment. The scam popularly known as “419” was initially subsumed under the category of criminal offences which have described as “obtained under false pretence”

but now it under the EFCC Act. Syndicates as it is widely known outside our borders, initiate the scam with members in different parts of the world strategically located to implement their different tasks.

ii. Embezzlement

Embezzlement is defined as “the misappropriation of property or funds legally entrusted to someone in their formal position as an agent or guardian”. Systematic and/or grand scale embezzlement of public funds seriously undermines the capacity of the state to manage resources and deliver services (Abel & Blackman 2014). This has been the case in Nigeria, where in spite of huge economic growth in the past years the government has failed to manage and re-distribute resources fairly (Human Rights Watch 2012).

iii. Fraud

Fraud arises from the exposure of illegal financial activities within the public and private sectors of the economy perpetrated by executives and all cadres, such illegal activities involve to a large extent, missing or misdirecting funds, over stating expenses, understating revenue, improper foreign exchange dealings within and outside the banks, embezzlement, illegal capital transfer, illegal currency manipulation and large scale banking and insurance fraud, which form the centre piece of fraud that have contributed in keeping investors away. Nigeria has remained underdeveloped, as it is certain that nation with high incidence of fraud cannot develop (Owojori and Asaolu, 2009). Fraud in developed economies is often reported in both private and public sectors. The problems in developing Third World nations particularly Nigeria is that fraud is common and affects a lot of citizen and in most cases perpetrators get away with the act. This is to say that, only in few instances are the nefarious act uncovered on time, investigated, prosecuted and adequate punishment given.

iv. **Money Laundering**

Money laundering is a process by which illegal resources or proceeds of crime are converted into apparently legal resources thereby concealing or disguising their criminal origin. Hiding wealth or sources of wealth is by no means a new phenomenon. What is perhaps new is the complexity of methods by which it is been committed as well as the international attention it generated in this century. Money laundering is a transformation process for the proceeds of criminal activities such as drug trafficking, armed robbery, prostitution, gambling, arms deals, fraud, embezzlement of public funds, obtaining by false pretences and many other acts which the law forbids.

Theoretical Framework

Game Theory was used for this study. One theory that explains the prevalence of public sector corruption is the game theory. This theory borrows from economic literature and seeks to provide rationales for corrupt decisions by public officials.

Literature Review

Odey and Ashipu (2013) noted that most of these policies made by the Nigerian government are still altered by the custodian of power and authorities in the state. In the same vein, Ughorojeh (2008) lamented that while all successive governments have been time and care to identify and condemn the evil corruption plaguing the Nigerian economy, not much efforts has been made to combat it. According to Odey and Ashipu (2013), ethics is intrinsically related to morality and it is also related to religion which is a product of people's culture. Thus, considering the intensity of government efforts in instilling discipline and eradicating corruption in Nigeria in order to transform and re-orientate the cultural values in Nigeria.

Onoge (1983) noted that corruption has persisted in the country despite efforts to rout it out, noting that its rate and scale is

increased enormously in the oil boom days. Recently, the Nigerian government also set up strategy or fights against corruption under the leadership of Buhari (Nigerian President) with stringent penalties put in place for offenders. In the similar vein, several studies have also shown the negative effect of corruption on economic growth in Nigeria (Enofe, Oriaifoh, Akolo, and Oriaifoh, 2016) and Adenike (2013). Thus, the effect of corruption on economic growth in Nigeria cannot be overemphasized. Also, Guru and Abdul noted that corruption has a significant negative effect on economic growth and development. Adewale (2011) posits that although corruption is a universal phenomenon, its magnitude and effects are more severe and deep-seated in Nigeria.

Methodology

The study used the descriptive (trends analyses) and Analysis of Variance (ANOVA). A method for comparing variation between two or more mean measure in different situations and is used when the full sample is divided into several groups based on one or more non-metric independent variables and the dependent variables analyzed are in metric dependent variables. Data used for this study consist of both primary and secondary data. Primary data was collected through the use of oral interview, While secondary data were sourced from; library, internet, journals, and from an international research institute 'transparency International'. The oral interview was used to obtain data on people personal opinions, and also character of the Data.

Discussion and Findings

The long time reign of corruption in the country has impacted negatively on economic growth in Nigeria and it has also decayed or deteriorated the country's cultural values. The result shows that the Relatively Corruption ranking has significant difference between countries economic growth, Nigeria ranking is

negative due to poor record on public sector Corruption. Other corruption indices such as Corruption Perception Index and Corruption Rank which are presented in an inverse form had positive impact on the growth of the Nigerian economy likewise corruption. This explains that the higher level of Corruption Perspective Index in the country retards or impairs economic growth. The short-run estimates revealed a negative but insignificant speed of adjustment implying that initial deviations (incident by corruption indicators) in Corruption Perspective Index does not significant adjust to the long-run in Nigeria at 5% critical level. However, it converges to long run equilibrium by 0.05% yearly.

The problems of the legislation and action planning as well as community sensitization refers to the best organizational model to combat corruption. The implementation of a risk management system and introduction of investigation and prosecution mechanisms can be effective in reducing corruption. The institutional approaches (EFFC, ICPC, etc) are still the most effective instruments in controlling corruption if they are properly applied without selective, judgment could yield a positive result. Therefore, we can conclude that there is positive response on Corruption Perspective Index of country and Corruption Perspective Index par year.

Conclusions

The long time reign of corruption in the country has impacted negatively on economic growth in Nigeria. It has also decayed or deteriorated the country's cultural values. The causes of corruption were also discussed. The author discussed on reasons why the fight against corruption in Nigeria is not working. The negative impact of corruption on economic growth and the decaying standard of Nigerian cultural values have necessitated the need for value reorientation in order to bring redemption to the country's national

character and image. Economic crimes, types of Economic Crimes were elaborated on.

Recommendations

- i. The enforcement mechanisms and probability of being caught should be increased to discourage corrupt habit.
- ii. Therefore combined effort by the citizen and government is required for sustainable economy through high Corruption Perspective Index which in turn will encourage future investors.
- iii. Government should be proactive on over side that lead to low Corruption Perception Index and also be ready to be faced with the challenge to increase transparency and accountability in all government activities.

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