Public Institutional Decay in Nigeria: Policy Options to Restore Public Confidence in Governance

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Abstract

The paper interrogates institution decay; policy options to restore public confidence in the Nigerian citizens. The objective of this work is to examine the level of decay in public institutions such as the executive, legislature and the judiciary and to proffer policy suggestion on how to make life meaningful to the citizens and restore trust of the citizens in governance. The theoretical framework is based on Relative Deprivation propounded by Robert Ted Gurr. The methodology is based on historical descriptive method. Data is sourced from textbooks, magazines, newspapers as well as online materials for this study. The work revealed that the cause of the institutional decay is based on corruption. Against the backdrop, the study recommends among others that policy trust that anti-corruption bodies should monitored projects from conception stage to execution or implementation stage. Again, citizens of those areas where projects are cited should actively involve to forestall project abandonment and also quality work should be done on infrastructures to clear doubt as well as everyday engagement in infrastructural development.

Keywords: Public. Institution, Project, Corruption, Governance

Introduction

Government anywhere in the world exists to provide essential services to its citizenry. It is clearly stated in the fundamental objectives and directive principle of state policy in the 1999 Constitution of the Federal Republic of Nigeria as

amended, Section 14(2)b, avers that the security and welfare of the people of Nigeria shall be the primary purpose of government. This means that the government is created for the common good of the people. The security here involves housing security, food security, job security, health security as well as the security of lives and property in the country.

Moreover, it is the duty of government to be responsive in providing social and economic infrastructure to raise the standard of living and enhance sustainable development of the environments where the people live. Betham, J. (1748-1832) and J.S. Mills (1806-1873), the utilitarian exponential philosophers also advocated for the provisions of good services by the state for the greatest happiness of the greatest number of persons (Ekpe, 2003).

The instrument within which the government uses to effectuate these and accomplish its purposes of delivery of democratic dividend is the institutions of government. Of late, it is on record that most of these institutions, be it the executive, legislative, judiciary, administrative agencies of governance have failed to guaranteeing the good life for the greatest number of people, in fact, millions of Nigerians who are hungry, poor, handicapped, disposed, and disconnected from government who are now far away from the citizens they were meant to serve. In some cases, it is either the resources meant for the people are diverted through corruption, money laundering, or used for their private purposes and their cronies. Maybe this was partly why Okereke (2003) had to say that; "In the last decade or so, the Nigerian (Public) service seems to have become parody of itself. It appears to have lost confidence and hence, unsure of itself. Lacks dedication and commitment to duty, lacks discipline and has become thoroughly corrupt." Functions of guaranteeing the good life for the greatest number through efficient service delivery has seriously been brought to question. Inefficiency and inaction of public institutions to provide democratic dividend has posed a serious concern for well-meaning citizens of Nigeria who have lost confidence in government to carry out its responsibilities to the citizens as enshrined in the 1999 constitution of the federal republic of Nigeria as amended. The problem is multidimensional as it affects all institutions of government.

The questions which are begging for answers include: what constitutes governance institutional decay? Why are there corrupt practices in government? Why is government always talking about abandoned projects? Why are funds supposedly expended on capital expenditures not feasible? Against this background, the work interrogates government institutional decay: policy suggestions to restore public confidence in governance system in Nigeria.

It is atruism that one could hardly hear of the amount spent on infrastructure put in place by government. Inflated contract sums, the citizens are not taken care of. Some are diversions by heads of Ministries, Departments and Agencies. Democratic dividend is a matter of cosmetics. Transparency, accountability, probity in government institutional organs has gone into extinction. Cases of these institutional bodies going to court to seek for injunctions not to be probed abound after they have corruptly enriched themselves whipping public sentiments. Against this backdrop, to address the question posed, the work will be addressed in sections; first, Introduction, second, conceptual clarification, which will deal with the various institutions of government- executive, legislative and the judiciary; thirdly, what constitutes the decay of this institutions, discussion of findings and policy recommendation in order to enhance and restore public confidence in Nigeria.

Theoretical and Conceptual Framework

Theoretical Framework

The Relative Deprivation Theory by Robert Gurr was adopted as a construct for this work. Ted Robert Gurr refers to Relative Deprivation as the tension that develops from a divergence between the 'ought' and the 'is' of collective value satisfaction and disposes men to violence. Accordingly, Gurr (1975) maintained that "relative deprivation is a perceived discrepancy between men's value expectations and their value capability". These value expectations are the goods and conditions of life to which people believe they are rightfully entitled. Value capabilities on the other hand are goods and conditions they are capable to attain and maintain, given the social means at their disposal.

Relating this to the Nigerian context, the poor are the civil society, whereas the political elite are the rich. The latter consciously reduce the former to poverty through obnoxious policies that dictate the "dos and don'ts" of the poor.

Government

Government according to Nana and Osa Zou (1987) is an institutional framework for implementing the goals of state, it can also be viewed as the actual process of, or the art of governing and a recognized field of academic study-Political Science. Operationally, government may be defined as a machinery as well as a process for the running of government. It is the body of persons saddled with the responsibility of running the day to day affairs of the state. This includes the Executive, Legislative and Judiciary as well as the Administrative agencies of the Civil service, occupants of leadership positions in public service; Ministers, Special Advisers to the President, Commissioners, Special Advisers to the State Governors and the list is endless. Heads on Non-ministerial agencies etc. Government is essentially for every modern state. Chaturvedi (2006) sees government as (i) any settled pattern of decision making within and for a group (ii) the structure of offices and institutions which perform this task; and (iii) the incumbents of the major offices within this structure (government). The main institutions or organs of government are the executive, legislative and the judiciary.

There are three organs of government in virtually all political systems of the world (except in countries under military regimes), the legislative, the executive and judiciary; all performs primarily the rule making, rule application and rule adjudication functions. Essentially, the legislature is a law making assembly of elected members. As in Nigeria, we have the National Assembly (NASS) made up of bicameral legislature- the Senate, the Upper House and the House of Representatives, the Lower House, charged with the responsibility of making laws for the generality of the country. Unfortunately, today NASS is fond of budget padding, making bills that affects themselves with fat emoluments, while the interest of generality of the masses has been swept under the carpet. A case in point is the current removal of fuel subsidy by the President, Federal Republic of Nigeria, Bola Ahmed Tinubu, NASS were given ₦70 billion as palliative for the removal of fuel subsidy and they equally had the "enjoyment money package" for their recess. That did not stop them from padding the 2023 appropriation budget

meant to capture the palliative for the ordinary rank and file citizens of the country with over ₦200 billion as the hoi polloi and other workers have been forgotten in their scheme of things. A Gambian Law maker, Hon. Tuoma Njai, representing Banjul South, the Gambia scolded the Speaker of their House for increasing fat emolument for members at the expense of the ordinary rank and file citizens of Gambia, and rejected the increment.

In another development, the President of Zambia, Hakainde Hichelema has been considered the best Presidents in Africa, when VX cars were bought for the Mayors he asked,

> *"Why are you using taxpayer's money to buy a VX for the Mayor? That VX for the Mayor can put toilets in all the markets in your constituency. Think along those lines, Hmm... Hmm. The Mayor can still drive a nice car, but it should not be a VX. If you want a VX, buy your own. Why do you want to pretend, but you know that you cannot afford a VX, you are using taxpayer's money, then you say, "I bought a decent Hilux, double cab air-con, it's a fantastic vehicle". Why do you buy a car costing $200,000? When you can put toilets in all the markets in that constituency; the Town Clerk, Mayor and Deputy Mayor wants a VX, whose money are you using? In that State House, I have not bought any new car. After 16th of August last year, "the system" came to me and said, "Mr President can you sign here, I refused and said $1.8 million for the President's vehicles? I said, "This person thinks I'm dull". I asked "why, are there no vehicles in the statehouse? Are they not moving? Are there no wheels?" he said there are. I said I will use those, cancel those tender. The President has not bought any new vehicle."*

The President of Zambia ordered the sale of the eight new VX that were bought with the funds of the locale people. Can this happen in Nigeria? This is a question all of us should answer.

Nigeria's governance has been spending extravagantly in the discharge of her functions. The Minister of Aviation, Hadi Sirika in the erstwhile President Buhari's administration, painted an Ethiopian airline with the sum of over $500million.

Worthy of note is that most of the NASS members who were former Governors are also collecting monthly pensions from their various states.

After recovering the monies stolen by the dictator, Sani Abacha for over two decades, successive governments have neither made full disclosure of the sums retrieved nor accounted for the sums spent due to lack of accountability and transparency of Nigeria's governance system. The economist of London (2023) says, monies looted from Nigeria by its public officers and refunded to its government were often re-looted. The former US President, Barrack Obama emphasized the importance of accountability in building an enduring democracy, declared that information maintained by the government is a national asset; to be made available to its owners – the people – as a matter of duty and right. But Nigeria's government operates in secrecy and never accountable to the people. This plays out in all its activities and is exemplified in the handling of the Abacha's loot.

Legislative Padding

Budget padding is making the budget larger than the original estimates, inflating the value of items or introducing new items into the budget.

Budget padding of ₦200billion during the passage of 2022 amendment Supplementary appropriation act by NASS had caused a heated debate. The ₦200billion was said to be taken out from the ₦816billion supplementary appropriation for the palliatives of the ordinary rank and file in Nigeria. Those identified are the Senate President, Senator Godswill Akpabio and Deputy Senate President Solomon Adeola (Yayi) as the major architects of the budget padding. There is also tenders for buying of cars at ₦57.6billion for NASS members.

According to Punch (22 April, 2019), the Senate President Bukola Saraki and Yakubu Dogara padded budget for four years raising Senate and Reps Budget from ₦134billion to ₦139billion (2021), plus 8,999,950 2022 budget ₦5billion, totaling ₦735.850billion.

The Study Method

The qualitative description research method was used to carry out this investigation as data were derived principally from secondary sources. The goal of qualitative descriptive studies is a comprehensive summary in every day terms of specific events experienced by individuals or group. The data derived for the study are mainly from secondary sources including textbooks, journal articles and other online materials.

TABLE 1: DECADENCE IN JUDICIARY

There are instances of decay in the judiciary. Below are some of the instances

S/N	YEAR	CASE STATUS	REASON
1	2011	NJC ordered removal of Justice Musa Ibrahim Anka	₦200,000 bribe
2	Sept., 2016	NJC ordered removal of Justice Mohammad Tsaniya.	₦ 200million bribe
3	Sept., 2016	NJC ordered the removal of Justice I.A. Umezulike.	₦10million bribe
4	Sept., 2016	NJC ordered the removal of Justice Kabiru Auta.	₦197million bribe
5	20th Dec., 2016	NJC ordered the removal of justice Ugbo Ononogbo.	₦200million bribe
6	Dec. 2017	NJC ordered the removal of Justice(s) A.F.A., Ademola & O.O. Tokode	For Judicial misconduct.
7	Oct., 2018	NJC ordered removal of Jusctice R.N. Ofili- AJumogobia of the Federal High Court (FHC) & Justice James T. Agbadu-Fishim.	For Judicial misconduct
8	Oct., 2018	NJC ordered the removal of Justice Mohammad Yunusa.	For issuing perpetual injunctions against AG, EFCC & ICPC from arresting, investigating and prosecuting or

			restricting the movement of former Governor of Zamfara State, Bello Matawalle, his family and associates over allegation of fraud in the handling of state funds.
9	Jan., 2019	NJC ordered the removal of Justice Walter Onnoghen.	For failing to declare assets upon assumption as Chief Justice of Nigeria (CJN). He operated five bank accounts contrary to Section 15(2) of the Code of Conduct Bureau and Tribunal Act.

Compiled by the Author, 2023

TABLE 2: DECADENCE IN EXECUTIVE

Beside the judiciary, the Executive also has credibility problems

S/N	YEAR	HIGH PROFILE EXECUTIVE CORRUPTION	AMOUNT INVOLVED
1	2022	Hadi Sirika, a Minister under General M. Buhari's administration painted an Ethiopian Airplane as a Nigeria Airways plane with Registration No: Boeing 737-800 and Serial No; 40965/4075.	₦74Billion.
2	2022	Executive Budget padding by Finance Minister Zainab Ahmed.	₦206 billion for Humanitarian

			Affairs Ministry and ₦11billion for Defence Ministry.
3		Theodore Orji of Abia and son, Ogbonna Money Laundering. He received ₦500million monthly as Security vote for 8years. He mismanaged ₦2billion ecological fund, diverted ₦388billion revenue from Federation Account, ₦55billion excess crude, ₦2.3billion Sure-P fund, 1.8billion ecological fund, ₦10.5billion loan, ₦12billion Paris Club refund, ₦2billion Agric loan, ₦55billion ASOPADEC money while in office. His son owns 100 Accounts with different banks.	
4		Former EFCC Chairman, Bawa and Budget padding by Ministers	
5		Governor of Kaduna State, Mukhtar Yero was paid to influence Presidential Elections. Money laundered by Alison Diezani Madueke, former Minister of Petroleum.	₦700million
6	2023	N. Wike invites EFCC and ICPC to investigate former FCT Minister, Mallam Mohammed Bello for awarding contracts.	₦4billion paid in full for 1Km road from Graduwa Estate to NDDC office. Hijack of ₦10billion to ₦119billion. Hijack of ₦50billion contract to up to ₦200billion.

			Hijack of ₦6billion contract to ₦70billion Emergency maintenance of Usman Dam at the cost of ₦9billion without BOQ and many procurement infraction. Left debt of over ₦1.2trillion to FCT without anything to show.
7		Godswill Akpabio, former governor of Akwa Ibom State diverting ₦100billion, multibillion assets, ₦18billion from State/Federation Account	

Table 3
ABACHA'S LOOT OF THE NIGERIAN ECONOMY

YEAR	AMOUNT	BANK
February 6, 1995	$4million & £2million	Australia, New Zealand, London Branch Banking group.
February 17, 1995	$4millioin & £2million	ANZ, Frankfurt
February 27, 1995	$4million & £2million	ANZ, Frankfurt
July 8, 1995	$5million & £2million plus £2million in travelers cheque	Bank in Liechtenstein AG, Vaduz
July 8, 1995	$5million & £2million	Bank Len, Zurich

December 29, 1995	$5	Bankers Trust Company, London.
March 28, 1996	$5million & £3mllion requested by Abacha when CBN ran out of foreign currency.	Bankers Trust Company, Frankfurt Banque Baring Brother. Geneva.
May 29, 1996	$5million & £5million. The Bank ran out of Pounds.	Barclays Bank London, Banque Eduourd Constant Generale.
June 20, 1996	$30 million & £5million	Banque Nationale de Paris, Geneva.
August, 1996	$30 million & £15million	Banque Nationale de Paris, Basel.
September 24, 1996	$50million	Citibank N.A. London.
September 30,1996	$50million & £3million	Citibank New York & N,A. Luxembourg.
November 26, 1997	$24	M. M Warburg and Company, Hamburg.
December 18, 1997	£6.15million	Midland Bank London, National West Minister's Bank, London.

Source: ANEEJ Briefing Paper on the Abacha Loot, October, 2002.

The study also noted the under listed instances as further evidences of decay in public institutions in Nigeria

i. Central Bank of Nigeria (CBN) Governor, Emefiele used wife's account to launder money. Mago Farms Ltd - ₦16, 181,850 in November, 2020. Collects salaries from security & minting company ₦9,988,900 (15, December, 2020). Paid NEM Insurance - ₦31,496, 300 (5/3/2020), ₦11,340,355 (3/2/2020), ₦17,398,375 (10/11/2020), ₦31,479,123 (31/12/2020).

ii. Anchors borrowers funds kept a fixed deposit by parties close to CBN (former) Governor. Aide to former CBN Governor operated 61 bank accounts, 44 fixed deposits, 2 Treasury bill accounts.

iii. Alleged allocation of about ₦600,000 monthly upkeep for the former Managing Director's Dogs.
iv. ₦5.6billion wheat project scandal in Kano and Jigawa States.
v. Destruction of office documents of contract files and records of the NIRSA procurement department.
vi. In 2013, CBN created policy diverting Government's money. Department of the CBN Governor, is in NIPSS. All charges 60% - 40% ratio. 30% to CBN and 30% goes to other Banks. ₦20-₦30 as charges of the citizen's transaction as stamp duties, electronic transfer fees are trillion made to the CBN which can cover budgets of Nigeria and stop borrowing (School of Banking Honors).
vii. 89 trillion, money diverted into a CBN account in 2022 from electronic transfer charges. With this CBN was said to be less than 3 trillion. They borrowed ₦23.4trillion, another ₦13trillion, and then the Federal Government borrowed ₦20trillion without approval of NASS (money in service debt).
viii. 2023, Budget 70% implemented through borrowing as government affords only 30%. CBN changes Naira. 2.7trillion charged for printing ₦400billion
ix. INEC Chairman Misappropriation of $50million, EU donations and Visa ban.
x. Abudulrasheed Maina, Chairman Pension Account, stole funds amounting to ₦500billion of about 141,790 pensioners.

Discussion of Findings

One finding in this study is the fact that there is a lot of corruption in Nigeria's government is the major causes of decay and loss of public confidence in its institutions. Nigeria's executive, legislature as well as the judiciary as administrative agencies are corrupt. To be very frank, a lot of funds that were for the betterment of the ordinary citizens as well as raise their standard of living have gone down the drain because of corruption. Cases on the temple of justice have been somersaulted from the less privileged to the highest bidder. From table1 above, we can see cases of Justices of the court who have been summarily dismissed mainly because of bribery. Court cases have become "the highest bidder takes all". On the part of the executive, a lot of funds that would have raised the standard of living of Nigerians have been siphoned, that is the reason for many

projects stalled, capital flight to other countries of the world as in the case of Sani Abacha and others. There are also other irregularities because of lack of accountability, transparency and probity in governance. A lot of monies that were assigned to the less privilege ends up in the pockets of institutions of government. Bad governance has been the order of the day, lack of implementation of policies that has affected the lives of the ordinary citizens. We have seen in the National and State Assemblies, virtually all the budgets submitted have been padded. One of such cases have been the issue of the current President of Nigeria, Bola Ahmed Tinubu and the former Senate President when the latter said that the current National Assembly has padded the 2023 budget. Hadi Sirika, the Minister of Aviation in the erstwhile Administration of President Mohammadu Buhari, painted an Ethiopian Airline for millions of dollars: Nigeria did not purchase the Airplane, it was a mere painting of an Airplane that belongs to Ethiopia. A lot can be said about the Institution decay, at present, the former Minister of Petroleum Diezani Alisson Madueke in the administration of President Goodluck Ebele Jonathan, is still in incarceration over millions of pounds laundered. What about the case of Ibori? Former Governor of Edo State who racked millions of pounds and was jailed for 13years in a London prison. Data abound on recklessness on the part of governance as far as appropriation of funds is concerned. There are a lot of corrupt practices, laundering of funds etc.

Policy Suggestions

Given the findings of the study, the following are policy suggestions:

The executive should be accountable in all their projects. Attach the prices to projects embarked upon, be it at the National level or in the States.

There should be laws that restricts former Governors, Military Officers and Public Servants holding elected positions from receiving pensions until after rounding off their tenure in which ever offices held.

There should be inclusion of the public as to what project is to be embarked upon, location of project as well as involvement of the citizens in the level of implementation.

There should be provision of social security to the unemployed and aged citizens.

There should be commitment on creation of millions employment opportunities for the unemployed.

Government should implement policies and programmes that touch directly on the lives of the citizens.

There should be reduction in the cost of governance, if you buy a car at the cost of ₦160million for 463, what about the rest of the citizens?

Government should be mindful that the children are not happy. See to the needs of the younger generation.

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