

ETHICS, CORRUPTION AND GOOD GOVERNANCE IN NIGERIA: ISLAMIC APPROACH

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Abstract

The ethical principles embodied in Quran7 verse 33 are undoubtedly or universal appeal and above any skepticism from any quarter. But controversies are almost inevitable to arise. When one proceeds to determine in concrete terms what are the "shameful deeds and what are the concrete modes of behaviour that may be treated as Sins and trespasses against truth and reason" Governance in Nigeria over the years has been bedeviled with ethical problems, corruption and unaccountability could be regarded as shameful deeds, sins, and trespasses against truth or reason. This endemic problem has no doubt constituted a great challenge to Nigeria in this century. The crux of this paper therefore is to examine this age long problem within the purview of Islam. The paper also attempts proffering solution from Islamic perspectives for the development of this nation.

Introduction

Oxford Advanced Learners Dictionary of current English defined governance as the act or manner of governing. Governing a country like Nigeria should have been a simple task because, the country is considered as being stupendously rich in natural and human resources, but ironically with desperately poor people. In spite of its earnings from oil, over 70% of Nigeria's estimated 140million people live below the poverty line, Okossi-Simbine (2006). Past efforts to explain this contradiction have repeatedly implicated failure of governance. At the heart of what has been identified as governance failure is massive corruption, which has been defined by ALF (2003) as the use of public power for private gains. Some of its attendant consequences include: Inequitable distribution, wasteful employment of resources, disempowerment of key sectors of the society, exclusion of the

majority from development opportunities among others. This paper will thus attempt to examine the ethics of governance, the implication of corruption and the need for accountability in governance within the precinct of Islam.

Conceptual Understanding of Ethics, Corruption, Accountability and Governance.

Longman Dictionary of contemporary English defined ethics as the moral rules or principles of behaviors for deciding what is right and wrong. Life has passed through various stages of evolution since the fall of Adam and Eve from Eden. Modern civilization is the product of stresses and strains, conflicts and tensions, efforts and pursuits of the whole gamut of human population proceeding the modern period of history. It is this history that called for a gradual development of an ethical and subjective perspective becoming of the human life of the highest order. As a result, social institutions and social individual behavior have evolved with ends in view.

Man has philosophized and exercised his mind about the goal of life; and philosophies have resulted and ways of life have been indicated accordingly. Apart from one way of life or another, speculative constructive thinking has shaped concepts of ultimate values to be aimed by human behavior. Philosophers, beginning from Plato and Aristotle down to Kant and Hegel, have dreamt of rationalizing human life with the pursuit of fundamental values. Even modern writer agree that human will is constituted of two elements: individual will and real will. The real will concept according to Sharif (1979) has in its turn given rise to two broad opposite streams of thought: (a) formulation of the idealistic theory of state which has been wrongfully taken advantage of by some social groups in the deification of human conduct and fantastic exploitation of the common people; (b) exposition of the general will theory in the hands of Rousseau laying the foundations of popular democracy and popular sovereignty. The necessity and importance of fundamental values of life will be the greatest in a democratic framework of society: for the latter provides the widest scope of liberty and exercise of will for individuals.

Corruption has been defined in various ways by different authors. Gordon (1989) refers to corruption as the practice of using power of office for making private gain in breach of laws and regulations normally in force. Olson (1991), Ogurn and Nimkoff (1989) perceive corruption as misappropriation of public funds, unfaithfulness in the use of time and discharge of public functions, seeking of favour or the exercise of under influence and or deliberate negligence of official duty for private interest at the expense of the public. Islamically therefore, Corruption is tantamount to taking what does not belong to you. The consequences of this in the Qur'an is greivous.

Corruption shall be seen as the use of position to extort something either in cash or kind from the public in furtherance of personal gain, contrary to expected behaviours attached to the position occupied. It is the unlawful use of the official power or influence by an official to enrich himself or further his cause at the expense of the public in contravention of his oath of office.

Accountability therefore could be described as any measure taking to curb corruption, because if there is no accountability, a system gets corrupt. Accountability here may mean the administrative capacity in enforcing sanctions which stems from the authority, legislation and the political will to carryout such enforcement. The overall effect of accountability leads to good governance.

Accountability and good governance in Islam

Sovereignty and the right to command (i.e. governing and exclusively to Allah, the political model of the Qur'an aspires to establish the divine kingdom on the earth through mankind, being the vicegerent of Allah. Man is, therefore, appointed as a trustee to look after and restore the things entrusted on him to their rightful owners (Quran 4:58). Pertinently, he is to bring about the government of Allah for Allah's.

The responsibility of implementing Allah's sovereignty and establishing justice is vested upon mankind collectively and it is delegated to their free choice by mutual consultation (*Mas'uliyah* (accountability) is demanded of a leader in Islam.

A Muslim leader should be fully conscious that he is undergoing a trial and that his power for good and evil is being monitored and recorded against the Day when he will account before his sovereign lord for how he exercised that power and how he discharge that responsibility. The Islamic principle of accountability is addressed in a verse of the Qur'an which reads thus:

It is He who made you His agents, inheritors of the Earth, and has raised you in ranks, some above others, so that He may try you by means of what He has bestowed upon you (Quran 6:165)

Although the ruler is chosen and appointed by the people, his first responsibility is to God and then to the people. His office is not just symbolic nor his role simply abstract, he is not a helpless puppet whose function is to sign papers or execute the public will invariably, i.e. whether it is right or wrong. He exercises actual powers on behalf of the people for their best interest in accordance with the law of God, because he has dual responsibility. On the one hand, he is accountable to God for his conduct and on the other, he is responsible to people who have put their trust in him. He will have to give full account before God of how he treated his people themselves or their representatives. But both the ruler and his people will have to give full account before God of how they regarded the law God (i.e. the Qur'an) which he has given as a binding force. It is by his responsibility to the people that he should handle their affairs in the best common interest, and it is by his accountability to God that he should do so according to the law of God. (Sambo, 2003).

Sambo (2003) identified certain principles and features of political administration which no doubt are clear cut ingredients of good governance in Islam. These are *Adalah* (Equality before the law), *Shura* (consultation) and obligation of the ruled.

- (i) **Adalah (Equality before the law).** It is a fundamental right of every person to be given fair and equal treatment under the law. Whether rich or poor, powerful or weak, he or she is to get a fair hearing and fair treatment. During the time of the prophet, a woman of noble family sought the interception through a close companion so that the woman could be pardoned. But the prophet replied: The nation that lived before you were destroyed by Allah because they punished the common man for his offences and let their dignitaries go unpunished for their crimes. I swear by Him who holds my life in His hand that even if Fatimah my daughter committed this crime, I would have amputated her hand. (Ibn Hajar n.d:418).

This means that no one should be raised in status above the law. In the same manner, no hatred of a people should lead to their ill-treatment or being unjust to them. Allah says in the Qur'an thus:

O you who have attained to faith: Be ever steadfast in devotion to Allah, hearing witness to the truth in all equity, and never let hatred of anyone lead you into the sin of deviating from justice. Be just; this is closest to God-consciousness. (Qur'an 5:8)

God who is the most powerful, who is the omnipresent and the Omnipotent, who is not questioned on whatever he does but who has the right to question his servant (Qur'an 21:23) said thus:

O! my servant, I have forbidden wrong doing in myself, and I have made it a thing forbidden among you, So do not act Wrongfully towards one another: (Al-Nawawi, Hadith 24).

In view of the above, Islamic administration is therefore aimed to uphold absolute justice for all citizens, whatever, their religion or ethnic background.

- (ii) **Shura (consultation).** A Muslim leader is to seek advice from his people in administering the affairs of his followers. Allah says:

And consult them in affairs (of moment), then when you have decided upon a course of action, place your trust in Allah; for verily; Allah loves those who place their trust in Him. (Qur'an 3:159)

The concept of Shura in Islamic leadership prescribes an advisory council or any other acceptable body chosen to look in to issues and recommend actions to be taken. This is applicable not only to national level but to all levels of decision making. Abu Bakar Siddiq, the first Caliph of Islam said to people in his inaugural address thus:

You have elected me your Khalifah although I am not better than you. I need all your advice and all your help. If I do right, help me. If I do wrong, correct me. In my sight, the powerful and the weak are alike and to both I wish to render justice. You should obey me as long as I obey the Lord and His Prophet. If I disobey them, you should forsake me. (Raheem, 1981:55)

In matters relating to legislation Umar Ibn Khattab the second caliph frequently utilized the institution of *Shura*. The most interesting and classic example was when Umar called the *Shura* into session order to consider the question of disposal of the newly acquired lands of Iraq. The usual method during Prophets life time was distribution among those who took part in the *jihad*. At this stage there was no system regular paid army. The conquest of Iraq was the turning point in the policy of distribution of *ghanima*. This had brought wealth and cultivable land and had made the Islamic State prosperous. This also necessitated more expenditure on the administration. For these reasons, Umar wanted to revise the usual policy of distribution of land he soldiers who had taken part in the conquest of Iraq. This question came before the Shura. The dominant view was in support of the existing method. However, he exercised his veto by virtue of *Ijtihad* in the higher interest of the future generations and in order to preserve the integrity or the Islamic State. The cogent arguments in favour of his decision according to Ahmed (2007) were: (i) these lands being subject to taxation would yield huge revenues every year; and (ii) Jizyah (Poll Tax) would be realized from the non-muslim Subjects of the area. The huge revenues thus collected annually would be utilized on Jihad activity and defense of the Islamic State;

these would also greatly help to sustain the coming generations. Thus, members of the Shura were convinced and they arrived at *Ijma* on the *Ijtihad* of Umar.

This address of the first caliph of Islam, being a monument of the principles of democratic and constitutional government and enlightened administration and the example from Umar consultative approach, requires of a Muslim leader to avoid being autocratic, he should seek the advice of some reasonable political associates on various issues and should be responsible to them for his activities.

- (iii) **Obligation of the ruled:** Leadership is only meaningful with the presence of both the ruler and the ruled. The principle of effective leadership in Islam demands from the followers, cooperation and absolute obedience to the constituted authority. It is the duty of every Muslim to do good and avoid evil, and also to urge others to do the same. In the same manner, Muslims have a duty to obey their constituted leaders in order to achieve social and political unity. Allah says:"

“And obey Allah and obey the Apostle and those in authority among you....

(Qur’an 4:59). Nevertheless, if the leaders issue orders which are contrary to the clear teachings of Islam the Muslim subjects is no longer bound to obey, since obedience to Allah comes before obedience to any human beings.

After choosing their leader through election, every citizen is enjoined to monitor, with his means, the conduct of the administration and question its handling of public affairs, whether he sees anything wrong with it. If the administration betrays the trust of God and the public, the government has no right to continue in office. The government must be removed and replaced by another. This action however will be carried out by every citizen having convinced all and sundry that the replacement is done in the public interest.

Ethics of Good Governance

What could be regarded as the ethics of good governance may be summed up in this statement of former UN secretary General, Mr. Kofi Annan delivered at the 9th international Anti-corruption conference in South Africa (ALF 2003:39) :

It is increasingly recognized that integrity and good governance essential building blocks for building sustainable development, prosperity and peace and yet while no two countries are similar, irrespective of the cultural differences, good governance and integrity require the law, effective state institutions, transparency and accountability in the management of public affairs.

Within the context of the above quoted statement, the ethics of good governance may be summed up as follows:

- (i) Integrity
- (ii) re-directing our moral values
- (iii) re-stigmatizing corruption
- (iv) re-dignifying the values of honest existence
- (v) building the institutional framework that would make corruption costly, and therefore unattractive.
- (vi) reviewing the nature, relevance and the gap in the policy and legal framework for combating corruption and corrupt practices.
- (vii) effective state institution
- (viii) transparency
- (ix) accountability.

Corruption: The bane of good governance.

Corruption is a term that has been given sundry interpretations. The Corrupt practices and other related offences Act 20000 defines corruption as including bribery, fraud and other related offences. The World Bank/IMF states that corruption is "the misuse of entrusted power for private benefit. (Akanbi 2003:53) the benefits he explained could be money and /or power or status. It can be described as a situation whereby government officials and /or

private economic agents allow personal and narrow interests to override considerations of the larger public good. The catalogue of corrupt acts includes: bribery, extortion, influence peddling, nepotism, fraud, speed-money, embezzlement, over-invoicing, kick backs" the ghost-worker syndrome", award of contract to front companies belonging to public officials, payment for and narrow interests to override non-existent projects etc.

Corruption can also be categorized into petty and grand corruption of the perpetrators, as well as the volume of resources involved. Using this yardstick, "street-level" and "business Corruption will qualify to be regarded as petty corruption while high-level" corruption could be regarded as grand corruption. Ironically, much of the negative perception Nigeria suffers as a corrupt-nation is as a result of petty corruption, although Grand corruption impacts the country in a much more devastating manner because it drains colossal amounts of resources from the system. This apparent anomaly is hardly surprising. Petty corruption occurs at the interface of the government and the public. It is highly visible, pervasive, endemic, and in some cases institutionalized- a classic case of petty corruption is the collection of a few Naira from drivers by law enforcement agents on the roadside.

The sin of corruption is however not limited to public officials; private sector players are neck-deep in it too. Our private sector is beleaguered by bank distress, fraud, insider-trading, dirty foreign-exchange deals, bank circumvention of government policy guideline, false declaration of profits "creative accounting" concealment of liabilities as a ploy to deceive existing and prospective shareholders etc. Indeed, the private sector is actively corruption that goes on in government circles.

The evils that corruption portends are many legion, specifically for Nigeria, corruption undermined our national growth, politicians and some highly placed individuals have nave stolen money in Nigeria and took it to Countries abroad thereby contributing to those countries economic growth by investing such stolen money abroad at the expenses of this nation. The country had also witnessed corruption in its electoral process, through

massive rigging. The consequences of which has been political instability. Corruption in the education sector had also been witnessed. Above all, the rich in Nigeria had continued to be rich while the poor has continued to be poor because the wealth of this nation has perpetually being in the wrong hands, thus, leading to uneven distribution of amenities and perquisites of life

Accountability: The Barometer of Good Governance

For a sustainable development and good governance, there is need for accountability. The holistic approach to be successful requires intra- governmental synergies on corruption, various arms of government must work together to achieve maximal impact. Various institutions, stake-holders civil society have to work closely together to ensure the success of anti-corruption policies in Nigeria. Accountability in governance demands that we must fully armed with moral weapon, the moral credentials that we can deploy. If we are corrupt ourselves, we cannot fight corruption. Therefore, we must all start this battle in our various homes and purging ourselves of all corrupt tendencies. Like Ceasar's wife, our hands must be seen to be beyond all suspicion of corruption as public officials, as civil society actors, as journalists, as religion leaders, as teachers, as youth leaders, in whatever vocation we find ourselves. Our internal governance system must necessarily operate through transparent process and procedures, we must at all times, be seen to be accountable. It, is only then that we can achieve the following:

- (i) The guaranteeing of democratic rights and freedom.
- (ii) The rule of law, whose elements comprise the protection of rights, fair trial, due process of law, the subjection of state-officials to the law, as for example, the separation of powers among the tiers of government.
- (iii) True justice, equality before the law and the equal treatment of citizen (Okoosi-Simbine 2006:37).

Islamic Ethics of Governance.

Every action of Muslim is required to be instigated and guided by the laws of Allah, the Qur'an, which is the constitution chosen by God for His servants. Verily, the Qur'an guides to that which is most right and best (Quran 17:19). Thus, the Qur'an is a complete code of conduct for mankind and provides guidance for man in all walks of life. It does not confine itself merely to purifying the spirit and the morals rather it encompasses the whole or

contains human life and activities. Hence, the divine book, al-Qur'an, Fundamental issues not only on the spiritual matters but also on ethics, socio-economic and politics.

The divine's scripture portrays that "the only correct, the only just, and the prudent course of a Muslim is to follow the law of God and to establish it over his entire life and in that of the society. (Arikewuyo n.d). Thus, the Qur'an reads:.

"...and if any do fail to judge (or rule) according to what God has revealed, they are the unbelievers.. they are the wrong doers... they are the rebels"(Qur'an 5:47,40 and 50).

Thus, the society should be govern so that its structure, function and purpose would conform with the dictates of the divine law in order to produce the puritan vicegerents of Allah as desired in the creation of man (Quran 2:130). Therefore, to seek and attain political office, for purely God's sake, is only permissible but also desirable and as such *fard al kifayah* (a collective obligation which is sufficiently accomplished if such undertaken by some members of the community on behalf of all others). Man therefore has a vital role to play for the progress and development of his society.

Islamic ethic of governance therefore entails administering justice and providing security and protection for all citizens regardless of colour, or creed, in conformity with the stipulations of God in the Qur'an 17:80. The question of religious or racial minorities does not arise so long as they are law abiding and peace loving citizens. In this regard the Qur'an of ten repeats that "this community (brotherhood) of yours is a single community created by one Lord" (Quran 12:92). Furthermore, the ethic of governance is summed up as follows.

Those who, if we give them power in the land, establish regular prayer (Salat) and give charity (Zakat), enjoin the right and virtue and forbid wrong and evil. (Qur'an 22:41).

Hence, the nature and objective of governance is to enjoin piety and Obedience, to produce men of impeccable characters who would bear unconditional submission to the will of God and follow His Apostle, Shun vanity, arrogance, cruelty and selfishness. The

Quran enjoins that the society to be govern should be organized in a way that there will be an even distribution of wealth to enable the state fulfill its welfare functions.

The government, its authorities and possessions are a trust of God and the Muslims. Hence, stewardship of the state ought to be entrusted to the God fearing, honest and just people. No one has a right to exploit the opportunity of governance in any way not sanctioned by the divine laws and rules. The rulers and administrators must therefore, be chosen from among the best qualified citizens on merits of virtue, fitness and competence. The Qur'an teaches that the most honoured among you is the pious one (Qur'an 49:13) hence, racial origin, family prestige and /or economic strength do not in themselves make any potential candidate qualify for high public offices.

Conclusion

This paper has so far addressed key issues like ethics; corruption and accountability as it affect good governance in Nigeria. It was thus established that corruption destroys good governance while accountability, probity and integrity builds it. That the promise of democratic good governance is the supremacy of law. That corruption turns the rule of law on its head and enders a country's law, institutions and citizens right to justice and fairness relevant, That corruption has the potential to destroy the legal order essential or good governance. That corruption breaks the sacrosanct bond of trust that has to prevail between those in authority and those they represent and finally that corruption destroys an important social contract. Islamic ethics of governance was examined where it was established that the only perfect and ideal way for a Muslim is to follow the law of God as entrenched in the Quran and thereby established it over his entire life and that of the society. Accountability, equality before the law, spirit of consultation in affairs of government, obligation of the ruled among others was discussed as the essentials ingredient of good governance in Islam. The paper concludes by giving suggestions such as addressing good governance by attending to efficiency of public services, seeing through and sanctioning corrupt acts, adopting Islamic social ethics and sustaining the fight against corruption, have

been put forward to stem the tide of corruption and uplifting the act of good governance in Nigeria.

Recommendations

From the foregoing analysis, it is cleared that the act of governance is not a small job it requires a solid foundation, accountability and commitments. Corruption no doubt has been established to be the bane of good governance. The following are therefore the possible recommendation to curbing corruption and establishment of good governance.

1. Societal reform and incentives that nurture anticorruption culture such as rewarding and celebration of honesty, transparency and accountability should be put in place by the government. Any corrupt official should be tried and if found guilty should be punished. It is because they are not being punished that made any new appointee to think that he too will go scot free if he embezzles. Government should make corruption unpopular by descending heavily on any corrupt offender.
2. Establishment of anti-corruption values such as high morality, ethics and right sense of value at the schools, family levels and public offices. This could be done by placing high premium on leadership by example, at home by parents, at schools by the Heads and the teachers and in our places of work by the Heads of such establishments. Above all ethics and moral education that de-emphasizes corruptions should be taught in our schools.
3. The government through their anti-corruption agencies like the ICPC, EFCC, SSS, the Police and other law enforcement agencies should adequately monitor and sanction any body found to be guilty of corruption. The present attempt by these agencies in their war against corruption is nothing to write home about, what we witnessed daily is selective judgment. The culprits and the offenders have not been really punished.
4. Adequate measures like provision of hot lines for the citizens to expose corruption, confidentiality and adequate security for such Citizen when they boldly come out to

expose any corrupt officials should be put in place, at the Federal, State and Local Government Area

5. Adoption of Islamic social ethics which give no room for a confirmed liar, hypocrites and criminals to be entrusted with any political power or even to give testimonies in courts of law should be adopted in this country. A situation where ex-public office holders, were arrested, tried and found guilty, finished their jailed terms and still come back to use money to lure people and get appointed for the second time is not good at all for the development of this nation. Such people should be barred from taking part in politics for life. In addition they should not be recognized or appointed into any private or public positions again.
6. Government should put up a measure to discourage political god-fathers, who use their money to impose candidates on the electorate and in turn force them to dance to their tune at the expense of the electorate who voted them into power. The recent clamour for the removal of the immunity clause is a good omen in the fight against corruption. If the immunity clause is removed from our constitution, it will make the elected officers sit tight and work righteously besides, it will go a long way to curb corruption on their part.

The earlier we adopt these and other similar recommendations the better for Nigeria in the 21 century and beyond.

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