

Judicial Corruption: An Assessment Of The Implication For Nigeria

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Abstract

Judicial corruption is a disease that has been ravaging Nigeria for a very long time. Scholarly studies have described it as the worst type of corruption since it has failed in defending society against corrupt public officers. This study, therefore, examines some high profile corruption cases that were leveled against judges in recent times vis-a-vis the socio-economic implications of such cases on the larger society. This desk research relies solely on the secondary source of data. Some popular and celebrated cases of judicial corruption were brought forth, reviewed, and analyzed via the content of the cases. It was suggested that judges' judgments should be subjected to a more transparent system where everyone will be able to see what informs the verdict. We, therefore concluded that judicial corruption will consume the country in its entirety if something drastic is not urgently done to salvage the situation.

Keywords: Corruption, Judicial Corruption, Judicial System, Nigeria

Introduction

Corruption is a disease that has been ravaging Africa, especially Nigeria for a very long time. The plague has contributed tremendously to various crises in the economy, politics, religion, social, culture, academic and bad governance the country has been facing since her independence and every effort in the fight against the problem have been majorly unsuccessful. In a bid to finding a lasting solution to this pandemic, various reforms have been initiated within the criminal justice system with the sincerity of empowering the court system^{1, 2}. However, the effects of these reforms have not been felt in the larger society since corruption charges and other criminal matters before the courts still take an eternity to come to inconclusiveness. In the long run, many innocent Nigerians both within and outside the country are those bearing the brunt of the act of some minute set of people who are bent to continually paint the country in black. Unfortunately, many of them are powerful and well-to-do in the society. Corruption is a big issue and hydra-headed. One-time Nigeria president ones said "if you decide to fight corruption, corruption will fight back". This assertion seems true in the way and manner political thugs and hoodlums occupy the streets in support of people that are alleged or accused to have stolen public funds but have both political and financial power to hire thugs.

More often than not, criminological studies have done an expansive work on the different aspects of the criminal justice system but a little emphasis has been on the abuse of power arrogated to the office of the judicial officers who are saddled with the responsibility of interpreting the law. In the words of late Chuckwudifu

Oputa JSC, icon and legal luminary, corruption is a virus that has affected not only the judiciary but the entire Nigeria society. It is embarrassing to note that the backbone of the society, the judiciary, has been so corrupted to the point that it now seems possible to procure justice depending on how much and how powerful you are. From lawyers to judges, the story is the same. Lawyers know the price of those corrupt judges and the best place and how it should be presented to them. Since the identity of judges is not always in the open, lawyers who were classmates while in the university or at the law school use that familiarity to get close to the judges and infest them with corruption to sway justice in their own direction. It is against this backdrop that it is important to discuss the implication of judicial corruption to socio-economic development and to the detriments of the judiciary. This desk research relies solely on secondary sources of data such as statutes, online articles, journal publications, official documents, books, news and newspaper reports, etc. Some popular and celebrated cases of judicial corruption were brought forth, reviewed and analyzed via the content of the cases and appropriate recommendations were drawn.

The Notion of Corruption

The concept of corruption is a very extensive one. This has made it difficult to have a singular or unifying definition of what corruption is^{3, 4}. However, it is of great concern that even though it is prevalent in every human society, having a unifying definition is still a mirage. Corruption is a broad concept. Going forward, conceptualizing corruption has been the way out. For instance, another author conceptualizes corruption has the efforts to secure wealth, influence or power through illegal

means mainly for private gain at the expense of the general public; or a misuse of public power for private benefit⁵. In the same vein, corruption is not gender related but affects both male and female. It is pervasive across socio-demographic variables⁶. Uneke, says it is an act that has to do with the performance of a public office holder who deviate against the guiding principles of the law governing public conduct⁷. The Central Bank of Nigeria 2006 report divided corruption into seven major distinct types of autogenic, defensive, extortive, investive, nepotistic, supportive, and transactive⁸. The Transparency International document report in 2013, defines corruption as "the abuse of entrusted power for private gain". The abuse it says manifested in many situations such as fraud, extortion, embezzlement, bribery, misplacement of justice, aiding and abetting, and many other forms of misconduct⁹. The ICPC Act says it includes bribery, fraud, and other related offenses, while Section 98 of the Criminal Code in its Section 98 considers a corrupt public office holder as "any person who corruptly asks for, receives or obtains any property or benefit of any kind for himself or any other person"¹⁰

Corruption has eaten to the fabric of Nigeria to the extent that the public service has been adjudged to be the worst eaten¹¹. Babatunde and Filani say it is about the most practiced vice in the country¹². Okafor says corruption was the sole reason for the failure of the two state-owned public institutions of automobile and steel industries¹³. He believes that these industries would have lifted the country to reckoning among committees of nations. Corruption has made it difficult for Nigeria to be respected among the committee of nations to the point that everyone now suffers for it. This has led the international watchdog on corruption, the Transparency International to rate Nigeria number 146 out of 180 countries in its 2019 report⁹. Corruption is cancer in the system. Corruption is a very big obstacle to socio-economic growth and development of any country. It has continued to be the major fuel for poverty in the country and a great impediment to the sustainable development goal of the United Nations agenda in Nigeria.

In situations where any of these corrupt practices had been perpetrated, and it became necessary to seek the interpretation of the law for proper and adequate sanction to be melted, the court is should be approached. The court in this sense is expected to be neutral and deliver justice without fear or favor however, there are indications that this is not so. The judiciary that is meant to give timely intervention for fair and impartial judicial service and sustain the rule of law has also been found wanting because corruption has infiltrated the system. Judicial corruption

which has been seen in many instances within the judicial process has continued to make justice elude the right person and has continually contributed to the underdeveloped nature of the land in terms of socio-economic and political development. What then is judicial corruption?

Judicial Corruption

Judicial corruption has been considered as an act or omission embarked on by a judge, court, and other justice sector personnel using the power that is vested in the public authority they have to perpetuate improper and unfair judicial decisions for private gains or benefits. Transparency International on its own defines judicial corruption as "any inappropriate influence on the impartiality of the judicial process by any actor within the court system". Waziri, says judicial corruption is any inappropriate influence on the impartiality of the judicial process by any actor within the court system¹⁴. Ugochukwu is of the opinion that any patronage that is been offered to subvert the administration of justice is considered as judicial corruption¹⁵. It is therefore a form of abuse of public power on the side of judicial officers and also non-judicial officers within the justice system. For instance, in a situation where a judge deliberately removed particular evidence with the motive of setting an accused free is judicial corruption. More subtly, court staff or the judge who manipulate a date of hearing to favor a party as against the other or where case files were deliberately kept away for a price to delay proceeding is judicial corruption.

The Global Corruption Barometer of Transparency International reported that the judiciary was the fifth most corrupt institution¹⁶. Judicial corruption contaminates the judicial process since it compromises the attributes of equitability, fairness, and fearlessness in resolving social or personal disputes. Ayodeji & Odukoya, says judicial corruption is the worst kind of corruption that can happen to any nation. This is considered so since social institutions depend largely on the judiciary for the interpretation of the law in issues of conflict in society¹⁷. Among many corrupt practices that have enveloped the judicial system include but not limited to bribery, extortion, theft of public funds, abuse of court procedures for personal gain, deliberate exclusion of vital evidence, influence peddling, alteration of date to bring confusion, and some other inappropriate influence on the impartiality of the judicial process by an actor within the judicial system. All of these have contributed to eroding the trust that was once reposed in the Judiciary. It can no longer be considered as the last hope of the common man. This is evident in the very many cases of judicial corruption that has been witnessed in the

country. Judicial corruption is evil and the wealthy and powerful class is the ones benefitting from it why the poor and masses are the worst hit.

In recent years, the anti-corruption and graft agencies in Nigeria have beamed their searchlight on the judiciary system to see what has been going on in there. The resultant effect of this search has caused some judges their role and some others still on trial. The hunter has become the hunted. As far as this work is concerned, this is the right step in the right direction since judges are humans like others. In fact, it would be suggested that any judge found wanting or guilty as charged should face more serious punishment for betraying the public trust that is reposed in them. However, against public praise of the anti-graft agency to put corrupt judges on trial, many lawyers and influential personalities have come out to criticized the move. It would be recalled that both junior and senior lawyers came out in solidarity with the then Chief Justice of Nigeria to storm the Code of Conduct Tribunal, CCT, when he was put on trial for alleged corruption matter. It was so surprising and embarrassing to hear the governors of the south-south region of the country to say the anti-graft move was a calculated attempt to remove their son from the office. The general perception is that the judiciary is commonly known to be corrupt and that this is just the begging of their trials.

Although. the judiciary has consistently absolved itself from the vice, however, indications have shown that self-inflicting contradictions that arose from poor case management, not willing to enforce standard toward developmental strides, hiding under the wide discretionary power, deliberate delay of cases of fraud via adjournments and expearte order, challenging jurisdictional power of the court, etc, have shown that the judiciary, in general, is willing to add to the problem that was brought to it. For instance, judicial corruption has helped us to lose much more needed revenue that would have been very useful in solving some socio-economic problems we are still facing as a nation. It is expected that the judiciary should have helped the country in the management of cases of revenue loss that we experienced in the Halliburton Saga, Siemens Scandal, and some other multinational scandals. The perception of our judicial system especially in the international circle has brought about a decline in the amount of Foreign Direct Investment seeing what has happened in the cases above. Because the judiciary has not lived to expectations in the management of the electoral crisis, we have had instances where only six legislatures out of about twenty-three removed a seating governor and the court could not do anything about it.

Still, on election matters, if not a corrupt judiciary, how would two federal high courts, one in the federal capital and the other in the oil-rich state, give two different rulings on the same matter that was brought to it if not for the fact that a "judge's palm had been greased". The corruption in the judiciary is a serious debacle to the advancement of democracy in Nigeria. It has made us a laughing stock in the committee of nations. No one respects the name of Nigeria anymore. Nigerians are now subjected to double checks when they are outside the shores of this country. At independence, Nigeria used to be a prestigious name but her past governments and rulers have soil it with corruption. Everyone knows you can purchase justice in Nigeria ones you have the whims and caprices to do so. This is the time to stand against all forms of corruption including those happening in the judiciary.

Judicial Corruption Cases in Nigeria

In recent years, there had been some sensational court cases where the custodians of the rule of law are the ones to be charged in corruption cases. This situation has been so pathetic to the point that international organizations and countries all over have accused the government of the federal republic of Nigeria of not upholding the rule of law. Many of our national daily newspapers have been found to be politicized and therefore not reporting objectivity that was ones the core value of journalism in Nigeria. On many occasions, newspapers have been accused of supporting or reporting one side of the story. For instance, the corruption cases against judges have been given different twists therefore confusing the general public the more. The ThisDay Newspaper published on January 28, 2019, had a headline caption which says Onnoghen: Global Concerns Mount, Fears Heighten Over Free, Fair Election. This caption only buttresses the assertion in the general public that the newspaper is own by a card-carrying member of the major opposition party, hence, it will never be objective in its report of the activity of the government of the day. People began no find a nexus in the allegations against the CJN and the forthcoming general election. The same headline has some riders which like: the US, UK EU Condemn CJN's suspension, Dogara: Buhari's action unconstitutional, Falana: Nigeria falling into hands of incipient fascism, Malami, others placed on America's watch list, Presidency: This government won't accept foreign interference. In actual fact some of these assertions were true and dictatorial government should be rejected in its entirety, however, we should not forget the fact of the matter which the prosecutor has brought forth "a missing public fund that has been traced to the bank account of the chief custodian of the law". Below is a list of some corruption

cases that have been level against judges including the overall head of the judiciary.

Justice Walter Samuel Nkanu Onnoghen

The former Chief Justice of the Federal was a Justice of the Court of Appeal who served in the Cross River State before joining the Supreme Court of Nigeria. Justice Onnoghen had served in many corruption-laden cases. He served for three years as the Chairman of Cross Rivers State Armed Robbery and Fire Arms Tribunal between 1990 and 1993, and Chairman, Failed Bank Tribunal, Ibadan Zone in 1998. He attained the position of the CJN on the 7th of March, 2017 after he was nominated by the vice president and was suspended by the president on the 26th of January 2019. His suspension was as a result of the case of corruption leveled against him by a petition received from the Civil Rights Group through the Anti-Corruption and Research Based Data Initiative (ARDI) against the CJN alleging him of having a wholesome of illegally acquired funds stocked in some of his bank accounts. The funds were investigated by the bureau to be in different currency of Naira, Dollars, and Pound.

As a public official, which he was, the conduct of conduct stipulated guidelines that should be followed and why public officials should declare their assets, steps set aside to guide against corruption in the public sector. A 6-count charge was then filed against the CJN by the Federal Government of Nigeria for failure to declare some of his assets as it contravene the provision of Section 15(1) of the Code of Conduct Bureau and Tribunal Act. It was alleged that a sum of \$3million was lodged in his Domiciliary and Naira account in the Standard Chartered Bank coded as USD Account No: 870001062650, Euro: 93001062686, Pound Sterling: 285001062679, E-Saver Savings (Naira) 5001062693, and Naira Account: 010001062667. The investigators claim that these accounts and the proceeds in it were not justifiable by the remuneration the CJN collects as a civil servant. The investigator also accused the CJN of not touching his salary account for 18 months and thus queries where he gets money to feed himself not to talk of his family.

In a bid to make the CJN face the law, a first of its kind in the history of Nigeria, the Code of Conduct Bureau accused Onnoghen of trying to suppress the law by not appearing before the court that is trying him. Until the court threatened to order his arrest the CJN would not present himself. However, in a show of intimidation but shameful, the Nigeria Bar Association NBA, mandated his members to show solidarity to the CJN by attending the court proceedings with him, an act it claims was to defend

the rule of law. Justice Walter Onnoghen was then convicted on the 18th of April, 2019 for false asset declaration with more than five bank accounts that were not so declared. The former CJN was subsequently found guilty as charged and was banned from holding a public office for a period of ten years. A soft landing was then prepared by the National Judicial Council for the convicted CJN. He was asked to honorably resign his position in a bid the NJC claims is to save the face of the judiciary.

Justice Rita N. Ofili-Ajumogobia

Justice Rita Ofili-Ajumogobia was a Federal High Court judge in Lagos before she was transferred to the Ilorin Division. The National Judicial Council (NJC) found her guilty of professional misconduct in an election petition case she was handling and subsequently bar her from being elevated to the court of appeal. The justice was first arraigned before Justice Hakeem Oshodi but the judge struck out the case on the fact the case should first be taken to the NJC. She was re-arrested the same day with 18-count charges on her. The EFCC accused her and another Senior Advocate of Nigeria, SAN, Godwin Obla on the 21st of May, 2014, of indirectly concealing in the bank account of Nigel & Colive Nig. Ltd, different amounts of money and they were both arraigned on the 18th of April, 2019. The company was later discovered to be that of Justice Ajumogobia.

The EFCC then alleged the duo of retaining the sum of #500 Million in the account as proceed of "unlawful enrichment". The court refused to grant them bail on "self-recognition" but admit them separately to a #10 Million Naira bail with one surety in like sum. On different occasions in the year 2014 alone, the commission discovered some amount of money like N5 Million, \$150,000, \$55,000, \$50,000, \$30,000, and \$20,000 dollars in the account. Justice Ofili-Ajumogobia was also accused of secretly keeping another sum of N12 million in the same account but lied to the EFCC that the money is part of the proceeds made from the sale of her landed property. The agency further alleged her on June 5th, 2012 of retaining another N18 million from Arkleen Oil and Gas Ltd in her Access Bank Plc account. Consequently, the offences are against Sections 15 (2) (a) and 18 (a) of the Money Laundering (Prohibition) Act of 2011. In another twist to the matter, Justice Ofili-Ajumogobia counsel claimed President Muhammadu Buhari has not officially approved her dismissal by the NJC, thus the court lacks the jurisdiction to entertain the charge against her since there was no official gazette to that effect. Although the agency attached a letter that shows she has been dismissed but she insisted that the letter cannot substitute for an official

gazette. The official memo was read and in the view of Justice Aikawa, the application lacks merit. The case was then adjourned until October 24 and 25, 2019 for commencement of trial. The case did not hold has slated until December 2nd. When it was held, the defence counsel had written to the Chief Judge to re-assign the case. He urged the trial judge to suspend proceedings pending the CJ response although the prosecuting counsel opposed the prayer but judge said he would grant the requested to await the CJ response in the interest of justice. He then adjourned until February 6, 2020, to await the CJ's decision.

Justice Hyeladzira Ajiya Nnganjiwa

The Economic and Financial Crime Commission arraigns a Federal High Court justice, Justice Hyeladzira Ajiya Nnganjiwa, of the Bayelsa Division, for unlawfully enriching himself to such an amount of N8.65 million and \$260,000, totaling to about N81, 705,000. The Justice was handed a 14-count charge including false statement to the officials of the EFCC. The defendant pleaded not guilty as charged and seeks for a bail on self-recognition which was granted by the Igbosere High Court, Lagos that was entertaining the matter. The agency said the \$260,000 was paid into the judge's personal account with Guaranty Trust Bank (GTB) in four tranches including \$144,000 and \$102,000, between January 18 and December 16, 2013 and January 6 to November 17, 2014. The last two payments of \$10,000 and \$4,000 were allegedly made on March 27, and April 30, 2015. The judge also allegedly received through his Access Bank corporate account in the name of Awa-Ajia Nigeria Limited, the sums of N750,000, N300,000, N5,000,000, N5000,000, N500,000, N500,000, N500,000, N100,000 and N500,000 (totalling N8,650,000). The inflows were allegedly received between April 2013, and February 2016 which does not correlate with the lawful earnings of the judge.

All through the procedure, the counsel to the judge tried to stall the trial claiming that the trial court lacks jurisdiction to entertain the case since the Nigeria Judicial Council, NJC, is the only body that is saddled with the responsibility of disciplining any serving judge that is found guilty by the commission. A power arrogated to the commission by Section 158 of the 1999 Constitution. The defense counsel however, urges the trial judge to release his client on "self-recognition" a position the prosecuting counsel opposed claiming it will form a bad precedent in the law of the land. He urges the trial judge to rather impose "serious conditions" that would compel justice Nnganjiwa's appearance in court for his trial.

Justice Mohammed Yunusa

The justice operates from the Federal High Court, Lagos but later transferred to Federal High Court, Enugu Division, the place he was before he was dismissed for corruption allegations by the NJC. The EFCC on the 17th of January 2018 arraigned Justice Yunusa and one Mrs. Esther Agbo who is a staff at the chambers of Rickey Tarfa (SAN) before Justice Sherifat Solebo of an Ikeja Special Offences Court. The counts charges were four and they bordered majorly on attempted perversion of the course of justice and corruption by a public officer of the law while the charges on Mrs Esther Agbo offering gratification to a public officer. The two of them pleaded not guilty as charged. The investigation the anti-graft agency conducted showed that Justice Yunusa had been in constant and confidential communications with Mr. Rickey Tarfa. Further investigation then revealed that the discussions has been concerning the three different criminal lawsuits with code number FHC/L/CS/714/2015, FHC/L/CS/715/2015, and FHC/L/CS/716/2015 that is before the judge. Another accusation the EFCC brought against the judge was that he collected another N1.5 Million in bribe from Mr. Tarfa in order to procure favourable rulings and judgments in those cases.

During the course of the trial, specifically on the 9th of March, 2019, a preliminary objection was filed by counsel to the defendant that the National Judicial Council had absolved his client of the corrupt charges thus, the trial court cannot entertain the matter lacking jurisdiction. He cited the case between the Federal Republic of Nigeria and Nnganjiwa to back his argument and that the purported dismissal of his client is not valid until the president gives his recommendation. The trial judge, then ordered Justice Yunusa to face his trial since the NJC has fulfilled its own obligation. The judge maintained that there is no evidence that Nnganjiwa's was investigated by the NJC so the case may not be applicable in the instance of Yunusa. The judge also referred to a letter from the NJC to the EFCC dated 8th of November, 2016 which came from its 76th meeting indicating justice Yunusa suspension. Honourable Justice Solebo then ruled that the court has jurisdiction against the first defendant and thus dismissed the preliminary objection. Further hearing was adjourned till 18th of June. On the 18th of June 2019, the prosecuting counsel pleaded to be allowed to bring a witness from the NJC to testify on an unsigned call logs supplied by MTN, which were initially tendered before the NJC after which he would close his case. The trial judge, Justice Solebo then adjourned until October 14, 2019. The case did not resume as slated until 24th of January, 2020. On this day the EFCC brought a polygraph examiner, Mr Umar Mohammed, who testified that Esther Agbo declined to take a polygraph test as part

of investigation process in compliance with her husband advise. Justice Solebo adjourned until February 21, 2020 for the continuation of trial.

Some Other corruption cases against judicial officers in Nigeria

A list of other corruption cases instituted against judicial officers in Nigeria is provided below

Table 1: Some selected cases of judicial corruption in Nigeria.

| S/ N | Name of judicial officer | Forms of corruption involved | Year | Punishment | State |
|------|--|---|------|--|-----------|
| 1 | Judges M. M. Adamu, T. Ahura, James Isede and A. M. Elelegwu | Bribery in Electoral Disputes Settlement | 2004 | Dismissal | Akwa Ibom |
| 2 | Judge Chrisantus Senlong | Attempting to Bribe Tribunal Members on behalf of another Party | 2004 | Dismissal | Akwa Ibom |
| 3 | Judges Okwuchukwu Opene and David Adeniji, | Bribery in Electoral Disputes Settlement | 2005 | Dismissal | Anambra |
| 4 | Justice Abubakar Talba | Perceived Bribery in a Corruption Case | 2013 | Serious warning, suspended for 12 months | Abuja |
| 5 | Justice Charles Archibong | Professional Misconduct and Incompetence tainted with complicity and corruption | 2013 | Compulsory retirement | Lagos |
| 6 | Justice Thomas Naron | Professional Misconduct | 2013 | Suspension | Plateau |

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|---|---|---|------|----------------------|-------|
| | | and Incompetence tainted with complicity and corruption | | | |
| 7 | Justice Hassan Gumi | Perversion of the course of justice in a case involving a company, Nestello Gateway Group, and the Governor of Zamfara State, Alhaji Abubakar Yari. | 2013 | Voluntary retirement | Abuja |
| 8 | Former Acting Chief Judge, Shadrach Nwanosike | Age Falsification | 2013 | Retirement | Abia |

Sources: Ayodeji & Odukoya (2014)

Risk of Judicial Corruption in the Court System

The loopholes in the Nigeria constitution have created very many opportunities for judicial corruption to be perpetrated and thrive within the system. Some of these opportunities are as followed:

Discretionary power of the judge

The discretionary power of the judge means the ability of a judge to act independently or decide according to his/her views and perception of the event without recourse to the constitution. However, indications have revealed that judges have abused this power to the extent that the general populace has been discussing reasons this power must be taken away from them. For instance, a judge may decide to jail an offender the minimum amount of years as against the maximum amount of years stipulated as the penalty for

such offence. Because of the secrecy and none transparent nature of how judges make their decisions, judicial anti-corruption reformers have seen discretionary power of the judge as an opportunity for selective justice and bias. It is high time that judges should be made to account for their stewardship

Absence of Prosecutorial and Adversarial role

It is a pity that the court system in Nigeria does not have the prosecutorial and adversarial privilege that lawyers have. When a case is brought before a court of competent jurisdiction, it is expected that both the prosecutor and the accused must be represented by lawyers. It is the lawyers that take center stage in the matter. As they continue to argue out their cases the judge only listens to both parties and ones awhile ask questions for clarity. During these arguments, no matter how much of lies a lawyer tells, even if the judge could perceive it, the judge dear not say so because he may be accused of taken side with a party and that he has taken up a role that he has no right to do. Adversarial role is meant for the defense counsel while the prosecutorial role is for the prosecutor. The judge is not meant and allowed to do any of these.

Education and Training of Judges

Knowledge is power, so the sage says. Without knowledge one continues to be ignorant of developments no matter how close they may be to him/her. However, it is only through education and continuous trainings that we can get adequate knowledge that are suitable for this present age. From all indications, judges are educated but studies have shown that they lack adequate training that is required for them to stay at the top of their profession especially when cases that has to do with science is to be entertained. Because of the delicate nature of their jobs, judges need to be well equipped with consistent and continuous education and training in different aspects of human endeavor. Since the court would not allow excuse of ignorance in a crime committed, ignorance of the principle of science and technology or other disciplines should not be entertained for judges too. Opportunity for corruption may come to judges as a result of ignorance but all these are expected to be guided against via trainings in psychology, criminology, forensic science, technology and information communication and other related disciplines that would help them detect corruption *abinitio*.

Financial autonomy

The judiciary should not be subjected to the executive arm of government for anything whatsoever. The executive will always use its financial power to hold the judiciary by the jugular and make them dance to its tunes. In situations where the executive is the one presenting the annual budget of the judiciary to the national assembly will always make the judiciary go down on its knees begging the executive. In the same vein, the legislature in some occasions may want to use its power of passing the annual budget to hold the judiciary to do its biddings. Better still, it would be a thing of joy and will definitely reduce judicial corruption if we can have a system where the judiciary will do its own budget separately from that which the executive would present to the national assembly. The judiciary should be given the power to draw its budget from the same pulse where the executive would draw it own.

Implication of Judicial Corruption for Social-Economic Development

Corruption has been the major predictor for underdevelopment in so many developing economies of the world. Despite many scholarly articles on how corruption has affected the economy, a very few of it has examined the potential aggregate impact of judicial corruption especially on socio-economic developments on the larger society. Since the judiciary has not been living up to the expectation in the war against corruption in Nigeria, the insinuation is that the court itself has been the abetting institution for corrupt persons to hide. When the justice system is corrupt it is an opportunity for corrupt members of the public to perpetrate themselves at the detriment of others, perpetrating acts that jeopardize socio-economic development, and hid themselves under the judicial system. This has led to some socio-economic problems such as poor infrastructural facilities and social amenities, unemployment, good governance, institutional decay, lack of development, poverty etc.

The judiciary is the pillar that holds the society from falling into anarchy. There is therefore the need to make it a safe haven for all, since the implication would be disastrous on all and sundry. For instance, the judiciary must do away with those discrepancies in the distribution and selection of justice. When justice is pervaded it is very likely that someone will suffer for it either physically or psychologically since it is capable of putting an innocent person in jail for an offence he/she never committed. Judicial corruption also harbors corrupt public officer that took away the resources that was meant to build social infrastructure that would have provided a means of livelihood for people that are working and earning wages/salary from it. In this sense, judicial corruption

creates unemployment which in the long run increases the level of crime and criminality in the society which in turn deprive those that are meant to enjoy the service. Judicial corruption enables wrong hands to control the affairs of the nation by bringing wrong people into power even when it is obvious that the society never wanted such persons.

Conclusion and Recommendation

A corrupt nation is a failed nation. However, a corrupt nation can only be rescued by a strong and brave judicial system that is ready to close its eyes against all consequences that may result from the fight against corruption. Since corrupt practices and other related matters have been established to predate colonial era, and successive government have remained docile about it, the judiciary should not join the bad wagon in perpetrating this evil but come the rescue. Before the fight against corruption to start having meaningful effects, there is a need for a strategic plan to be put in place in the judiciary. Such plan must include continuous education of the judiciary, training and re-training, financial autonomy and so on.

For this to be achieved, governments should stop paying lip-service to the fight and sit up to strengthen our institutions, especially the judicial system. It is no longer news that corruption has stained the name of this country especially among the committees of nations, neither as it not been known that unemployment, decayed infrastructures, malpractices in examinations, political fraud and crisis, and other socio-economic and cultural predicament we are facing as a nation are all products of a corrupt and failed nation. Our judicial system must be ready to prune itself from the very many self-inflicting contradictions it has deliberately put itself especially in the way procedures are being handled. For the general populace to trust the judicial system again, it has to deal with every corrupt members of the system by exposing them, sanctioning them and making them face the required and appropriate prosecution. It will be so pleasing and fulfilling if what made-up judgments can be made transparent for general public to see. In this sense, each party to the case would absorb the judge of corruption and bias. Without these, the judiciary will remain divided against itself.

In view of this, it is of utmost importance that a formidable strategic plan that will help the judiciary to come out of the predicament it has put itself is put in place as soon as possible.

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