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By Nasiru Zubairu

Federal University

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An Analysis of Public Perception on the Menace of Corruption among Judicial Workers in Dutse Metropolis, Jigawa State-Nigeria

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Abstract- The most important issues facing the judiciary today, predominantly the court, emanate from the court's primary mission to secure justice for all. Justice is an empty promise if it denies an individual or group achievable equal access to the courts. Economic, political, social, and cultural and ethnic barriers to the justice system unfortunately still exist as a result of corruption. Misuse of judicial power by the courts for private gain is no longer an aberration or isolated behavior. It is disturbingly a dominant and recurrent feature of the Nigerian system. Judicial corruption often involves a vicious dynamic in which judges trade injustice for favors and personal gains. However, this study assesses the public perception of the menace of corruption among judicial workers in Dutse metropolis, Jigawa State.

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I. Introduction

Over the years, successive governments in Nigeria have applied methodology in running the national economy with the objectives of ensuring a high level of economic growth that would improve the standards of living of the people. Reversed is the case where those involved in guiding the laws of the land involved in destabilizing the nation through corruption (Agbu, 2003). Corruption is one of the problems faced by the country currently, which concerned the judiciary in adjudicating the hope of a common man. Corruption has become so blatant and widespread that it appears as if it has been legalized in Nigeria (Gire, 1999). Corruption in Nigeria is pervasive and has remained deeply entrenched and robust despite the seeming wars declared by the successive regime since independence in 1960 (Udama, 2013).

The failure of these strategies is fine-tuning the economy to bring about the needed level of development had been attributed to so many bases by analyst and academics at all levels. Among the reasons that have been put forth as being responsible for the dismal performance of the various strategies adopted is "corruption." Corruption as a phenomenon is a global problem, and it exists in different countries in various degrees (Agbu, 2003). Recently, in most economies and on the international level, the issue of corruption has become topical and headline news, although the practice is thought to have existed long ago. Carr (2011) opines that "corruption as a phenomenon has always existed, but in recent years the awareness of it has grown at the international level." The stern and extensive discourse about the subject has arisen probably because of its devastating effects on the individual and the society at large.

The judiciary (also known as the judicial or court system) is the system of the court that interprets and applies the law in the name of the state. The judiciary also provides a mechanism for the resolution of disputes or conflict. In other words, the term "judiciary" is used to refer collectively to the personnel, such as judges, magistrates, and other adjudicators who form the core of the judiciary. Judicial corruption, therefore, includes any inappropriate financial or material and nonmaterial gain, aimed at influencing the impartiality of the judicial process by any actor within the court system. For example, a judge may allow or exclude evidence for the purpose of justifying acquittal of a high political or social status culpable defendant. Judges or judicial personnel can manipulate court dates to benefit either party (Transparency International, 2011).

II. Statement of the Problem

Corruption is a major social problem that hinders Nigeria's development. Therefore, this led to the emergence of government agencies purposely created to fight against corruption, which included the Independent Corrupt Practice Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC) established in 2004. The act has persistent to weaken institutions, discourages investment, and holds back economic development. As asserted by Ogunwale (2012), the problem of corruption in Nigeria is internationally acknowledged as the country considered to be one of the worst in corrupt practices world over.

In Nigeria, cases often take too long because the judge(s) tries to make contact with the parties through their lawyers in their bid to extort money, benefit or other concessions; there is an unholy alliance between judges and lawyers while the clients suffer. In other words, members of the bench collect bribe to issue underserved court orders, injunctions, and frivolous adjournments even when issues on the ground

Author: Department of Criminology and Security Studies, Federal University, Dutse – Nigeria. e-mail: nasiruzubairu14@gmail.com

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suggest otherwise. Bails are granted and rejected discretionally without strict adherence to legal principles. Again, bail conditions are susceptible to the whim and caprice of the judges (Nwaze, 2011).

In line with the above assertions, many judicial workers (judges, inclusive) recently in Nigeria were found guilty of corrupt practices in the course of discharging their constitutional duties, which led to their arrest by the Department of State Security (DSS), some of the affected justices are Justices Sylvester Ngwuta and Inyang Okoro of the Supreme Court, the suspended presiding justice of the Court of Appeal, Ilorin Division, Justice Muhammed Ladan Tsamiya, Justice Adeniyi Ademola (Federal High Court); the Chief Judge of Enugu state Justice I.A Umezulike; Justice Kabiru Auta of the Kano State High Court; Justice Mu'azu Pindiga (Gombe State High Court); Justice Bashir Sukola and Justice Ladan Munir from the Kaduna State High Court.

The National Judicial Council (NJC), has recommended sanctions for Justice Tsamiya; the erstwhile Chief Judge of Enugu State; Justice I.A Umezulike; and Justice Kabiru Auta (Daily Sun, November 8, 2016, p6). Furthermore, the DSS revealed that it recovered over N93 million and $530,000 cash from three arrested judges. Thus, Nigeria had lost so much money due to the compromising posture of most of the judges. Citing the corruption cases of Halliburton, Malabu, and Siemens, the security chief said: "in the past four years, Nigeria lost multi million dollars on cases against foreigners because of the corruption in the judiciary. Nigeria lost $1.9 billion in one swoop case" (Daily Trust, Monday, October 10, 2016, p4). Another judge of the Abuja division of the Federal High Court, Justice Nnamdi Dimgba's, the residence was also searched, but he was not arrested. Since then, there has been no love between the CJN, the NJC, and the DSS over the incident on the issue as to whether the affected judges should abstain from service or not (The Nation, Friday, November 4, 2016).

The Federal Government also filed a nine (9) count charge of funds diversion against the Chief Registrar of the Supreme Court, Ahmed Sale, and two other officials of the court. It accused them of diverting, among others, about 2.2 billion nairas belonging to the court. The two others are Muhammad Abdulrahman Sharif and Rilwanu Lawal. The charge marked FCT/HC /CR/13/2016 was filed by the office of the Attorney General of the Federation (AGF) before the High Court of the Federal Capital Territory (FCT), Maitama, Abuja. Besides, the accused were charged with receiving N74.4 million gratifications as public officers from contractors who executed projects for the court between 2009 and 2016 (The Nation, Friday, November 4, 2016: p6).

In essence, there is no doubt that judicial corruption distorts the effective implementation of rights and obligations. Subsequently, a corrupt judiciary neglects the very core of the rule of law and some fundamental justice principles through which citizens and their rights are supposed to be protected. Judicial corruption also leads to diversion of public funds among some judicial officials.

III. Review of Related Literature and Theoretical Framework

There is no single definition agreed to the term this is because what might appear corrupt in one business may not automatically be seen as such in another one. Though various attempts were made to defines it, there is no precise definition that can be any form, type and degree of corruption applied. The concept of corruption is predicated on value concept. However, most of the writers defined it as enriching oneself by public officials (Lambsdorff, 2007). Those that conceived corruption to be an affair deviating public office defined it as the 'abuse of public power for personal gain' (Morris, 2011:3) or as "the misuse of public power for private benefit" (Lambsdorff, 2007:1). Transparency International (2005) also defines corruption as "the abuse of entrusted power for private gain". Such gain is not necessarily straightforward personal financial benefit and nor is corruption limited to only the public or private sector.

Another definition given by the Economic and Financial Crime Commission (2004), one of the many agencies established by the Federal Republic of Nigeria to fight corrupt-practices, defined corruption as:

> The non-violent criminal and illicit activity committed with objectives of earning wealth illegally either individually or in a group or organized manner thereby violating existing legislation governing the economic activities of government and its administration (Iyanda, 2012:39).

Defining corruption in this manner, the EFCC viewed it as an economic crime. This view influenced by the catalog it holds-dealing with economic crimes. But, as it would be seen in the typology of corruption, corruption involves a wide range of activities in which corruption can be found but certainly transcends it. Terrorism, for instance, is an aspect of political violence and is perpetrated for the objective of corruption (Holmes, 2010; Nwaze, 2011).

IV. Causes of Corruption

From the preceding discussions on the concept, it has become crystal clear that corruption is not motivated by a single factor alone. Hence, views also differ concerning the causes of corruption. There are many significant studies that provided explanations of the causes of corruption in Nigeria. Ulu (2009), mentioned eleven factors responsible for widespread corruption in the country. These are; selfishness, greed and ostentatious lifestyle, pressure from the home front,

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pressure from the larger society, fear of poverty, lack of adequate social welfare system, extreme ethnicity and unpatriotism, availability of safe havens, lack of political will, apathy on the part of most citizens, and invisible factor (evil spirit). Nwaze, (2012), on the other hand, identified five reasons why corruption has become an endemic social problem in Nigeria which include; weak institutional enforcement framework, commanders without an army (disconnect between leaders and followers in Nigeria), lack of ethical standards in governance, poor reward system and extended family.

Weak institutional enforcement mechanism, as identified by Nwaze (2012), (e.g., Lack of judicial independence; weak prosecutorial institutions), is one of Nigeria's causes of corruption. The forces that deter corruption are often weak, as some of the law enforcement agencies, if not most, are themselves corrupt. Additionally, kings, leaders, and government officials are highly unethical, and qualified associations may be unable to sanction their representatives.

Nwaobi (2004) argued that in a country where an economic condition is poor, there is a tendency for such a nation to experience a high level of corrupt practices, which further worsen the growth rates. Also, the lack of political will, as identified by Ulu (2009), is another strong factor that helps to sustain corrupt practices. However, this has generally played a role in supporting the soberest cases of entrenched political and bureaucratic corruption. Accordingly, he argued that political and economic competition could increase accountability, open up alternatives to dealing with corrupt networks, and create incentives for political leaders to move against corruption. He argued in favor of the ignorance and I-don't-care attitude of the people that Nigeria must be one of the very few countries in the world where a man's source of wealth is of no interest to his family, the public or the government. Collectivist societies, religious bodies, social clubs, and other private organizations routinely recognize and praise wealthy people who are known to be corrupt. Sociological and cultural factors like traditions, family strains on government officials, and race are also possible causes of corruption.

V. Types of Corruption

According to Otite (1986:14), corruption can be broadly classified into five, viz: Political, economic, bureaucratic, moral, and judicial corruption. Thus, the focus of this study is on judicial corruption.

a) Political corruption

It happens when politicians and policy-makers, who have the power to create, develop, and enforce the laws on behalf of the people, are themselves compromised. It also occurs when policy formulation and legislation tailored to benefit politicians and law-makers.

b) Economic corruption

It involves manufacturing fake goods, piracy, i.e., copying another person's intellectual work to illegally enrich oneself (Plagiarism), fraud at all levels of the economic or business transaction.

c) Bureaucratic corruption

Bureaucratic corruption involves buying favors from bureaucrats who formulate and administer government social, economic, and political policies. The areas chiefly involved are the acquisition of foreign exchange, industrial establishment avoidance of tax, and the like (Otite 1986: 14). This occurs in the public administration or the implementation end of politics. It is the kind of corruption the citizens encounter daily at places like the hospitals, schools, local licensing offices, police stations, the various government ministries, etc. Bureaucratic corruption occurs when one obtains business from the public sector through an improper method.

d) Moral corruption

The anonymity in contemporary societies, particularly in urban and cosmopolitan centers, has worsened, or in some cases only created, conditions that favor moral depravity. The desire for employment, the wish to show wealth through the acquisition of women, the flashy demonstration of individual materialistic possession amid social poverty, and the exploitation of man by man-the the powerless by the powerful, etc. all belongs to the form of moral corruption.

e) Judicial Corruption

The alarming levels of corruption in Nigerian society moved the framers of the 1999 Constitution to declare that "the state shall abolish all corrupt practices and abuse of office." Unfortunately, the numerous corrupt practices incidents are not confined to politicians and government officials but extend to the judiciary as well. Nigerian judges and their leaders were unable to rise above the toxic environment in which they live and function. Though, democracies all over the world deal with judicial corruption, slacking moral values, mounting economic hardships, and ineffective detection and enforcement mechanisms have turned this aberrant conduct into a full-blown national plague. Abuse of power by the courts for private gain is no longer an aberration or isolated behavior. It is disturbingly a dominant and recurring characteristic of the Nigerian judiciary. Acts often involve a vicious dynamic in which judges trade injustice for personal gains and favors. They prefer to do what most Nigerian public servants do, using their official positions to raise their social income and strength. Despite the provisions of the Code of Conduct for Judicial Officers, and criminal laws that require officers to refrain from

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engaging in unethical and corrupt behavior, every aspect of the process has succumbed to the scourge of corruption.

By inference, judicial corruption is acts or omissions that constitute the use of public authority for the private benefit of judges, court, and other justice sector personnel that result in the improper and unfair delivery of judicial decisions. Judicial corruption includes improper use of judicial discretion, favoritism, promises of office or special favors, coercion, intimidation, and interference with freedom of election (Ayodeji & Odukoya, 2014).

Judicial corruption can be categorized into two, this includes administrative and operational corruption. Administrative corruption arises when court administrative employees violate formal administrative procedures for their private benefit at the same time, operational corruption takes place in grand corruption schemes where political and considerable economic interests are at stake (Langseth, 2010).

VI. Nature of Corruption among Judiciary in Nigeria

The corrupt practices pervasive among the Nigerian Judiciary include; bribery, fraud, nepotism, and cronyism. Bribery has been defined as an act of giving or taking money or something valuable in order to gain favor in a dishonest manner (Okeyim, 2013). In Nigeria, attempting, providing, giving, soliciting, or accepting a bribe is considered as an offense that carries with it either criminal or civil liability. Bribery, by implication, is a corrupt act that violates a public servant's responsibilities to members of the public. It involves the violation of public trust. It encourages unfair or underserved benefits or advantages (Ogbu, 2011). Bribery can also be successful if there is existing trust between the giver and receiver. This, therefore, makes bribery a joint activity that involves two sides of a transaction. Criteria such as openness, freedom, and a good feeling by both parties (i.e., Both parties must be happy about the exchange) is used to distinguish between a bribe and gifts. Still, where there are elements of secrecy, coercion, and obligation, such is considered as a bribe and not a gift (Okeyim, 2013). In Nigeria, bribery is a very common form of corruption that occurs in the judiciary. For example, with the coming of Jonathan as the President Federal Republic of Nigeria, with vast financial inducements to rig cases before them, Nigerian judicial officers handling election petitions now qualify to be inducted into the inner sanctum of the super-rich overnight. Many cases abound at the level of the state where judges are often pressured by the governors to pause, pervert the case or do something scandalous to help those who lose out in elections (Aver & Orban, 2014).

Fraud is one of the common corrupt practices in the Nigerian Judiciary. Fraud is considered an act of deceit or misrepresentation. In Nigeria, the loss of revenue resulting from fraudulent activities amounts to about $40 billion a year (Tell, 2010). In the judiciary, fraud involves receiving bribes to compromise the application of the rule of law, compromise in the interpretation of the law.

This ruling by the apex court was quite unfortunate and damaging for the image of the judiciary. The court should have made a pronouncement on the illegality and unconstitutionality of the action of corporate Nigeria in making a political donation in billions of naira to President Obasanjo's re-election campaign when the constitution in an unambiguous term expressly prohibits it. The above analyses portray the judiciary as not only compromising the law but laying dangerous precedents for corrupt practices to thrive in Nigeria. It is based on all these compromising applications of the rule of law that the issue of corruption within the judicial system in Nigeria generated. A good example can be drawn from the recent cases of corrupt practice among some judicial officials, for instance, the charge of fund diversion against the Chief Registrar of the Supreme Court, Ahmed Saleh, and two other officials of the court. They were accused of diverting for about N2.2 billion belonging to the court. Another example, where the Department of State Security (DSS) revealed that it recovered over N93 million and $530,000 cash from three arrested judges. Thus with these, and other reasons, it can be deduced that "fraud" is another form of corruption that is common in the Nigerian Judiciary.

Furthermore, Osuji (2012), asserts that it is painfully enough the judiciary at the state level today is an obviously frustrating democratic process in Nigeria, some cases are so theatrical to the point that one began to wonder what has become of the Nigerian judiciary. Even when the National Assembly tried to address the problem stemming from endless adjournments of cases, especially in matters of the election, they made the matter worse. It played well in the hands of some of the clearly corrupt judges and politicians by setting a time limit for finishing any election case (Aver & Orban, 2014).

They exploited the situation as they were suspected of entering into an agreement with the affected governors by delaying the cases until they became technically dead which is the expiry of the time limit. For example, the case of, among others, Benue, Akwa-Ibom, Jigawa, Borno, and Imo states is still fresh in Nigerian memory. Even some cases were thrown out on a mere flimsy excuse of time frame which was too obvious and clear. Many judges take pleasure in granting unwarranted adjournments to waste the apparent time so it does not add to the efficiency of the

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justice system. Yet they subscribe to the axiom of legal truth, "justice delayed is denied justice." In situations, in particular political circumstances, they prey on any little loophole to either dismiss the case or embark on the escape of endless adjournments. As asserted by Morris Cane, “Any technicality in law used to dismiss a case is not a true justice; if dispensed, it is justice denied over the influence of remote reasons because it is not the real justice” (Osuji, 2012).

VII. Causes of Judicial Corruption in Nigeria

An important move in the fight against corruption in the judiciary is to look at the causes which lead to corrupt practices. There are no common general factors for all states that contribute to corrupt judiciaries. On the contrary, the causes appear to be country-specific. Some of the causes of corruption among the judiciary in Nigeria are:

a) Intimidation of Judges

Available evidence indicates that rich and powerful Nigerians are instinctively resistant to attempts to mediate conflicts and disputes through the judicial process. Their preferred mode of operation is to blunt justice demands by embarking on a dual strategy of intimidation and manipulation. The dominant mentality is to threaten and bully those who refuse to be bribed. Bribery usually involves money, but may also include higher-bank promises of elevation. Intimidation of judicial officers stretches from the lower courts to the Supreme Court to all branches of the judiciary. The murder trial of those accused of murdering the late Attorney General, Bola Ige, was postponed for a long time because three judges refused to continue hearing the case separately, citing pressure from unidentified highly placed persons. Judge Moshod Abaas recused himself, citing unprecedented quarterly stresses. This situation accurately illustrates the unfortunate and uncomfortable situation in which judges find themselves after taking jurisdiction in high-profile cases (Nwaze, 2011).

b) Non-transparency in Judicial staff recruitment process

It is another cause of systematic corrupt behavior, since the court staff then may be influenced by external interests from the very beginning. Other potential factors that affect judicial independence are political instability and democratic insecurity. In general, it appears that states with high political rivalry and a regular change in power tend to have a higher level of integrity of the justice system. For states with only one powerful political group, the political party is more likely to control the judiciary's work to preserve its political power (Osoba, 1996).

c) Absence of Technological Equipment

Another factor that makes corrupt behavior go unnoticed can be the absence of technological equipment, such as updated databases to keep a record of judgments. Insufficient computer systems can also slow down court processes, leading to a higher level of corruption, as paying a bribe could be a way to get it. Another potential factor is lack of transparency; if an illegal activity can be concealed in complex procedural processes and press courtrooms are closed and therefore never revealed to the public, wrongdoing is easier to overcome, and evidence against it becomes more difficult to find. (Nwaze, 2011).

d) Weak Judicial System

The poor judiciary is a grave cause of corruption. Most often, judicial systems are weak because of poor service conditions. It is the poor who suffer the brunt of injustices in such situations, as the rich always have a better chance of getting justice over the poor. Also, the lack of a clear separation of powers between the judiciary and the executive arms often leads the latter to exercise undue influence over the former. Deficiencies in the legal system can also exacerbate unfair political or economic situations. Disparate treatment by authorities will undermine the trust of non-dominant groups that the system can address their grievances and leave no alternative to violence. For example, where access to and transparency of the justice system is restricted to those who speak an official language (bribery), ethnic groups who speak different languages are left outside the legal system. Consequently, a functioning legal system is important for sustainable democracy (Osoba, 1996).

e) Get-rich-quick Syndrome

There is no doubt that the professionals, most of whom are members of the middle class, are anxious to succeed in the shortage possible time, and in the process, they inevitably get enticed and mixed up in fraud and corruption. However, judges together with other judicial officials feel the need to maintain the status and living standards of the social groups they aspire to remain part, and this often requires more money than they earn, as such they tend to engage in corrupt practices to acquire wealth (Nwaze, 2011).

VIII. Effects of Judicial Corruption on the Public in Nigeria

Abdulkarim (2012) asserts that to maintain rule and regulation, the judiciary's primary role as the third arm of government is to defend and uphold the Nigeria Constitution and assure that the rule of law prevails. Under that general duty and authorization, the everyday work of the judiciary reveals to some extent the level of a court's or judge's rule. However, a persistent element in the judiciary's role at every level is the protection of each

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individual's Constitutional, human, civil, and legal rights. The judiciary also has an important role to play in protecting the people from the corruption of others, protecting the vulnerable from the strong and the helpless from the powerful and protecting persons from the State's unwarranted or unconstitutional exercise of control. In fact, the judiciary plays a vital role in preserving domestic tranquility by establishing a formal institutionalized platform to address discord and vindicate civil and criminal misdeeds. But the position of the judiciary becomes questionable in the public eyes, due to the high level of corruption within the judiciary. The judiciary is also afflicted with major ethical problems, including an overly nepotistic way of appointing judges and elevating them to higher judicial benches, and cases of corruption and perversion of justice, as well as human rights violations (Ogunye, 2011).

Judicial corruption has forced citizens to view with caution the role of the courts as impartial dispensers of justice. Nigerians are increasingly moving away from the concept of courts as neutral dispensers of justice, to the model of *"cash and carry"* impartiality, where judges overlook standards and even the law to weaken justice. Someone who pays money or is motivated to advance the career of a judge can control the decision and manipulate decisions and orders in his favor. Instinctively, people are wary of judges, and maybe for good reasons. Despite mounting public criticism, the judiciary repeatedly shows a tendency, especially in high-profile and election cases, to lend its mechanism to serving the influential, well-connected, and wealthy people.

The public perception of judicial corruption is so deeply embedded that citizens ascribe corrupt motives to honest judges who render decisions they find objectionable. Court decisions are often viewed by many as motivated by crooked drives. When, for example, the Supreme Court ruled that the son of the former dictator Abacha was not a party to the murder of the late Alhaja Kudirat Abiola, rumor mills all over the country were agog that corrupt motives dictated the outcome of the case. Similarly, the assertion that the acquittal of those accused of killing the late justice minister Bola Ige was motivated by corruption continues to gain currency despite the absence of credible evidence to substantiate allegations of judicial corruption (Osita, 2003).

Corruption in the judiciary has the potential to do far more damage to society than elsewhere. An independent, impartial judiciary often cited as a fundamental institution supporting civil society and a well-functioning economy. When judicial decisions become suspect due to corruption, businesses reduce productivity, particularly those with potential for disputes such as long term investment contracts or the production of goods. Again, an independent, impartial, fair, and equitable legal system and a non-corrupt judiciary is the core of the rule of law, human rights protection, and supervision of executive as well as economic development. Corruption in the judiciary is one of the greatest challenges to the effective protection of rights, as individuals defend themselves in independent and impartial courts when they claim violations of individual rights. With their monopoly, courts have a tremendous responsibility for resolving all conflicts of a judicial nature and corrupt courts can not assume that responsibility (Transparency International, 2007).

In general, it's argued that the clear evidence of corruption in the judiciary has posed a great danger for the country. It's especially true when one views the role of the judiciary as the interpreter of legislation and guardian of the constitution in connection with the enforcement of the anti-corruption legislation. This role has placed the judiciary in a higher position than the executive or the legislative. It may amount to a waste of government's efforts to fight corruption if the judiciary alone can pronounce legislation or the acts and deeds of the legislative and executive unconstitutional, which is itself embroiled in corruption (Kayode, 1993).

IX. Theoretical Discourse

a) Structural Strain/Anomie theory

The Social structure theory can explain why judicial workers engage in corruption as innovators. 'Innovation' describes a situation where an individual has been socialized into accepting the goal of material success, but, faced with a lack of legitimate means for achieving the goal, resorts to deviance. However, corrupt individuals, for example, tend to accept the societal goals by engaging themselves into legitimate activities but unfortunately, they tend to deviate by trying to earn money through illegitimate means. For instance, in some institutions like the judiciary, a judge or other judicial officials may collect bribes, kickbacks, from the parties involved in judicial proceedings, and as such he deviates from a legalized way of dispensing justice, therefore becoming an "innovator". Examples can be drawn from recent cases of corrupt practices among some of the judicial officials which led to their arrest by the Department of State Security, which includes but not limited to the following: Justice Sylvester Ngwuta and Inyang Okoro of the Supreme Court, Justice Muhammad Ladan Tsamiya; Justice Adeniyi Ademola. However, the aforementioned judicial officials could be regarded as "innovators" because they tried to change the legitimate means of attaining the goals of the institution (judiciary).

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X. Methodology

a) Study population

It's consists of all people living within the Dutse metropolis that were available during the study. The target population of this study includes persons aged 18years and above (both males and females) who reside in Dutse Metropolis. Others include judges, legal practitioners, clerks, registrars, and academics in Dutse Metropolis.

b) Sample size and sampling procedure

This research sampled a total of 119 respondents. Two (2) political wards were purposely selected (i.e Kachi and Limawa ward), out of the eleven (11) wards in Dutse L.G.A. The justification for the two is because; they are the only that are within Dutse metropolis, while the remaining wards are outside Dutse metropolis. However, Simple Random Sampling through Simple Lottery Method (SLM) was used to select respondents from the two political wards that were selected.

Eighty (80) respondents were selected from the Kachi ward, while thirty (30) respondents were selected from the Limawa ward. The justification for selecting more respondents from the Kachi ward is because it has the highest population than Limawa, and also it forms part of the Dutse Metropolis. Therefore, respondents from the two political wards drawn disproportionately.

While for the In-depth Interview (IDI), convenience sampling used to select participants, which include: one (1) judge, two (2) legal practitioners, two (2) Clerks of the court, two (2) registrars, and two (2) academics. A total of nine (9) participants selected for the in-depth interview. Thus, a total of 119 respondents is the sample of the study.

c) Data collection

The study used both quantitative and qualitative techniques. For the quantitative technique, questionnaires were administered, and for the qualitative, an In-depth Interview (IDI) was conducted. The questionnaire comprises of both closed and opened-ended questions.

XI. Discussion of Research Findings

a) Socio-demographic of respondents

The data revealed that 58.1% of the respondents were male, while 41.9 of the respondents were female.12.9 % of the respondents were within the age of 18-22, while 37.6 % were within 23-27, 19.4 % were within 28-32, and 30.1 % were within the age of 33, and above.32.3 % were married, 55.9% were single and 6.5 % were divorced in comparison 5.4 % respondents represented others, which are widowed and separated. 22.6 % of the respondents attained Qur'anic education, while 9.7 % primary education, 30.1 % secondary education, 36.6% tertiary education, and 1.1 % did not respond to the question.

While 79.6 % of the respondents were Muslims, 17.2 % were Christians. On the other hand, 3.2 % of the respondents were traditionalists. 25.8 % were civil servants, 17.2% of the respondents were public servants, while 24.7% of the respondents were farmers, and 31.2 % of the respondents were others, such as students, artists, and businessmen/women, and 1.1 % did not respond. 62.4% of the respondents earned less than N100,000, 14.0% earned N101,000-120,000 monthly, 8.6% earned between 120,000-130,000, 3.2 % earned N131,000 and above monthly. On the other hand, 11.8 % did not respond.

However, the findings indicated that most of the respondents were male (58.1%) who were within the age of 23-27 years (37.6 %) and were mostly single, with 55.9% who attained tertiary education (36.6 %). Also, they were mostly Muslims (79.6 %) civil servants (31.2%) who earned less than N100, 000 monthly (62.4%).

b) Corruption is Pandemic among Judicial Workers in Nigeria

The finding shows that 45.2% of the respondents strongly agreed that corruption is pandemic among judicial workers in Nigeria, and 47.3% agreed, 7.5% disagreed. This indicates that the majority of the respondents agreed and strongly agreed that corruption is pandemic among judicial workers in Nigeria.

c) Most Common Form of Corruption among Nigerian Judiciary

The data indicate that 49.5% of the respondents suggest that the most common form of corruption among the Nigerian judiciary is bribery, 15.1% suggested fraud, and 20.4% said favoritism and nepotism, while 15.1% suggested embezzlement. The finding indicates that the majority of the respondents believed that bribery is the most common form of corruption among the Nigerian judiciary.

d) Victims of judicial corruption

The result indicates that 18.3% of the respondents were victims of judicial corruption, while 81.7% did not fall as victims of judicial corruption. The finding shows that majority of the respondents were not victimized.

However, among the 18.3% of respondents that were victims of judicial corruption, some asserted that they bought a recharge card to the clerk of one court before he called the registrar for them. Others stated that they gave something in kind to the judge of magistrate court and the case was treated at their discretion, others also affirmed that they gave money to the registrar before he files their cases before the court of law. In comparison some confirmed that, they paid

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legal aid officers some cash before they represent their case before the court of law.

e) The most Corrupt Judicial Workers

The findings show that 33.3% of the respondents believed that judges are the most corrupt judicial workers, in comparison 34.4% of the said lawyers, 18.3% registrars, and 9.7% said prosecutors, while 4.3% stated others such as court clerks and messengers. The finding indicated that the majority of the respondents believed that lawyers are the most corrupt judicial workers. This is why because; they are the ones that usually first come into contact with litigants.

In an in-depth interview with a Registrar of the magistrate court, he asserted that:

> Most of the corrupt judicial workers are clerks and messengers because they are the ones that have less or lower salary packages within the judiciary most people usually first meet them to assist them on how to process their case before the court. As such they often use that as an advantage to collect money from them (more especially those from remote areas).

The study revealed that the majority of the respondents agreed and strongly agreed that corruption is pandemic among judicial workers in Nigeria. Subsequently, most of the respondents also believed that bribery is the most common form of corruption among the Nigerian judiciary, and most of them supposed that judges and lawyers as the mainly corrupt judicial workers. This finding is in line with the observation of Okeyim, (2013), where he confirmed that corrupt practices pervasive among the Nigerian judiciary include; bribery, fraud, nepotism, and cronyism. Also, Aver & Orban (2014) affirmed that, in Nigeria, bribery is a very widespread form of corruption that occurs in the judiciary. For example, with the coming of Jonathan as the President Federal Republic of Nigeria, with massive financial inducements to rig cases before them, Nigerian judicial officers handling election petitions now qualify to be inducted into the inner sanctum of the super-rich overnight.

f) Causes of Corruption among Nigerian Judiciary

The study indicated that 17.2% agreed on the weak judicial system, 12.9% agreed that get rich quick syndrome is a factor that causes judicial corruption, 16.1% influence of political leaders is a factor that causes judicial corruption, 52.7% agreed on all factors mentioned. While on the other hand, 1.1% represents others who cited poor salary package. The findings revealed that the weak judicial system, get rich quick syndrome, and the influence of political leaders are the factors that cause corruption in the judicial system.

In an in-depth interview with the Chief Magistrate Court II, on the causes of judicial corruption, he asserted that:

> The weak judicial system is a major cause of corruption in the justice system. Most often, due to poor conditions of service, the justice systems are weak. It is the poor who bear the brunt of injustices in these cases because the wealthy still have a greater chance of getting justice over the poor.

In an in-depth interview with a legal practitioner also on the causes of judicial corruption, he revealed that:

> Lack of adequate incentives is one of the factors that usually render corrupt judicial workers. Judicial employees are typically not given the freedom to participate in other business because of the complexity of their duties. Their salaries are the only source of income they have and not even the salaries are adequate to meet their basic needs. As such they have recourse to corruption to make their lives standard.

g) Litigants Standing Trial induces Corruption within the Judiciary

The findings indicated that 47.3% of the respondents agreed that litigants standing trial induce corruption within the judiciary, while 11.8% disagreed. And 40.9% do not have an idea. Therefore, most of the respondents believed that litigants standing trial induce corruption within the judiciary.

In an in-depth interview with the registrar (process) of the magistrate court on whether litigants standing trial induce corruption within the judiciary. He asserted that,

> Most of the parties involved in both criminal and civil litigations usually induce corruption within the judiciary, because most a time people tried to offer me something to make the judge terminate their case. There are some people that will ask me to tell them how much I want for me to make him favor their client.

The study also revealed that most of the respondents believed that the weak judicial system, get rich quick syndrome, the influence of political leaders are the major factors that cause corruption among the Nigerian judiciary. However, this finding is in line with what Aver & Orban, (2014) earlier stated on the influence of political leaders over the judiciary. They opine that many cases (more especially election cases) abound at the federal and state level where judges are frequently influenced by the executives to delay, pervert the case or do something scandalous to favor those who lost out in an election.

Also, Nwaze (2011) stated that there is no doubt that the professionals, most of whom are members of the middle class, are anxious to succeed in the shortage possible time. In the process, they inevitably get enticed and mixed up in fraud and corruption. He added that judges together with other judicial officials also feel the need to maintain the status and living standards of the

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social groups they aspire to remain part of, and this often requires more money than they earn, as such they tend to engage in corrupt practices to acquire wealth.

h) Judicial Corruption has an Effect on the General Public

The results show that 47.3 % of the respondents strongly agreed that judicial corruption has an effect on the general public, while 40.9% agreed, 10.8% disagreed and 1.1% strongly disagreed. Therefore, the majority of the respondents strongly agreed that judicial corruption has an effect on the general public.

i) Major Effect of Judicial Corruption on the General Public

The study shows that 16.1 % of the respondents believed that delay in the proceeding is one of the major effects of judicial corruption, in comparison 18.3% believed that violation of individual's right, 10.8% said making the public lose confidence in the judiciary and 54.8% agreed on all factors mentioned. Therefore, the finding indicates that delay in proceedings, violation of an individual's rights and making the public lose confidence in the judiciary are the major effects of judicial corruption on the general public.

Subsequently, other respondents believed that judicial corruption has an effect on the general public because it ends up impoverishing the poor/less privileged in the society and it leads to the proliferation of crime because criminals are freed to continue their criminality. Some of the respondents stated that it encourages corruption in all sectors of the economy and makes other institutions to become corrupt. Others believed that it leads to inequality, injustice, and violation of human rights in society. Similarly, some stressed that it distorts the country's democracy and also makes justice for sale. Others revealed that it affects other agents of the criminal justice system (police and prison), and also it undermines the role of the judicial system.

In an interview with a legal practitioner on the effects of judicial corruption, he asserted that:

> One of the side effects of a corrupt judiciary is that it becomes inevitably too weak and increasingly incapable of discharging its critical responsibilities to the society, especially to the poor and vulnerable. If the judiciary is corrupt, those who do not have money will suffer the most, because "cash and carry" is justice.

In an interview with a university lecturer on the effects of judicial corruption on the general public, he asserted that:

> Judicial corruption encourages corruption in all sectors of the economy because they are regarded as the last hope of the common man, therefore if they become corrupt other sectors of the economy will invariably embroil into corruption.

On the effects of judicial corruption on the general public, the findings revealed that the majority of the respondents agreed and strongly agreed that judicial corruption has an effect on the general public. Subsequently, most of the respondents believed that delay in proceedings, violation of an individual's rights, making the public lose confidence in the judiciary are the major effects of judicial corruption on the general public. However, this finding is in line with the observation of Transparency International (2007), where they stated that Corruption in the judiciary is one of the greatest challenges to the effective protection of rights when citizens defend themselves in independent and impartial courts when they plead infringement of individual rights. With their privilege, courts have an immense responsibility for resolving all disputes of a judicial nature, and "corrupt courts" can not accept that responsibility.

Consequently, according to Kayode, (1993), judicial corruption may amount to a waste of government's efforts to fight corruption, if the judiciary alone can pronounce legislation or the acts and deeds of the legislature and executive unconstitutional, is itself embroiled in corruption.

j) The Present Administration is making an effort to tackling Judicial Corruption

The research revealed that 26.9% of the respondents strongly agreed, while 34.4% agreed, 32.3% disagreed and 6.5% strongly disagreed. Therefore, the findings revealed that the majority of the respondents agreed that the present administration is making a good effort in tackling corruption within the judiciary.

k) Appropriate Measures by the Present institutional Mechanism of Combating Corruption

The study indicated that 25.8% of the respondents agreed that the present institutional mechanisms of combating corruption are taking appropriate measures, in comparison 39.8% believed that they are not taking appropriate measures and 34.4% represent I don't know. Therefore, the finding shows that majority of the respondents stated that the present institutional mechanisms of combating corruption are not taking appropriate measures in combating judicial corruption in Nigeria.

l) The Most Effective Institutions in Tackling Judicial Corruption

The findings revealed that 19.4% of the respondents agreed that executive could play a significant role in tackling judicial corruption, 39.8% suggested EFCC, 22.6% suggested DSS, and 16.1% says ICPC and 2.2%, on the other hand, represent others (legislative arm). Therefore, the finding revealed that the majority of the respondents suggested that EFCC can play a significant role in tackling judicial

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corruption. This is because they are the ones that were mostly considered to be carrying out their constitutional duties without political interference.

While on the possible solutions to judicial corruption in Nigeria, some of the respondents suggested that the government should improve the salary package of judicial workers, others suggest that Judicial appointments should be based on merit and severe punishment should be imposed on those who indulged in corrupt practices among judicial official. Subsequently, some opines that, court rulings have to be protected from political interference and judicial independence has to be assured as well as due process/the rule of law must be complied with, in the course of investigating corrupt judicial officials. Others stated that ensuring full autonomy to the agency involved in investigating judicial cases to have the power to arrest them without any hindrance.

In an in-depth interview with the Chief Magistrate, court II, Dutse, on the possible solutions to judicial corruption, he opines that:

> Corruption in Nigeria is beyond the economic and legal problems, it's a social problem. Therefore, the approach has to be multi-dimensional. To prevent the menace among the Nigerian judiciary, other arms (executive and legislative) should avoid it, because they are the ones that mostly induces corruption within the judiciary.

Similarly, in an in-depth interview with a University lecturer on the possible solutions to judicial corruption, he stated that:

> There should be transparency in the recruitment of judicial officials (more especially the judges). The government should appoint judges that have proven integrity. Their Salaries should also be improved by the government as well as adequate incentives have to be provided.

On the possible solutions to judicial corruption, the findings revealed that majority of the respondents agreed that the present administration is making a good effort to prevent corruption among the judiciary, Most of the respondents recommended that EFCC can play a significant role in tackling judicial corruption and finally, the majority of the respondents suggested that, court rulings have to be protected from political interference and severe punishment should be imposed to those caught engaging in corrupt practices among judicial workers. This finding is in agreement with the view of Aver and Orban (2014), where they recommended, that various punishments and sanctions such as death sentence, dismissal from service, suspension, compulsory retirement, and public humiliation by sending them to prisons to serve jail terms should be awarded to erring judicial officials who indulged in corrupt practice.

XII. Summary

This study focuses on the menace of corruption among judicial workers in Dutse metropolis. The background of the study was established in the introductory part. This was followed by a review of relevant literature and theories. The methodology of the research was explained and the data was analyzed. The study revealed that most of the respondents (58.1%) were males aged between 23-27 years (37.6%). Most of them were single (55.9%) and had post-primary/tertiary education (66.7%) who were mostly Muslims (79.6%), civil servants (31.2%) who mostly earned less than 100,000 (62.4%) monthly. On the nature of corruption among judicial workers in Nigeria, it revealed that 92.5% agreed and strongly agreed that corruption is pandemic among judicial workers in Nigeria, 49.5% of the respondents believed that bribery is the most common form of corruption among Nigerian judiciary, 81.7% believed that judges and lawyers mostly engage in corruption within the judiciary. On the causes of corruption, 52.7% of the respondents believed that the weak judicial system, get rich quick syndrome, the influence of political leaders are the major factors that cause corruption among Nigerian judiciary, 57.0% of the respondents did not know whether the executive arm intimidates the judicial arm in the course of discharging their constitutional duties. On the effects of judicial corruption on the general public, 88.2% of the respondents agreed and strongly agreed that judicial corruption has an effect on the general public, 54.8% of the respondents believed that delay in proceedings, violation of individual's right, making the public lose confidence in the judiciary are the major effects of judicial corruption on the general public. Similarly, the majority of the respondents also believed that judicial corruption encourages corruption in all sectors of the economy, and makes other institutions become corrupt. On the solutions to judicial corruption, 34.4% of the respondents agreed that the present administration is making a good effort to prevent corruption among the judiciary. 39.8% suggested that EFCC can play a significant role in tackling judicial corruption and finally, most of the respondents suggested that, court rulings have to be protected from political interference and severe punishment should be imposed on those caught engaging in corrupt practices among judicial workers.

XIII. Conclusion

In present-day Nigeria, Corruption has become so prevalent that it is now institutionalized. The judiciary is a vital organ, and an instrument that promotes democracy in the society said to lack free and fair in the implementation of their constitutional duties. However, based on the findings of the study, corruption is a phenomenon viewed from different perspectives as a

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cankerworm that has eaten up the Nigerian judiciary. The findings suggested that corruption is pandemic in the Nigerian judiciary, where both judges and lawyers engage in corruption. Also bribery and fraud are forms of corruption, which leads to compromise of the judiciary and hinders judicial effectiveness. The weak judicial system, political interference, get rich quick syndrome was considered to be the key causes of corruption within the judiciary.

XIV. Recommendations

Base on the findings of the study, the following recommendations can be made:

i. There is a need for an objective and transparent process for the appointment of judges to ensure that only the highest quality candidates are selected. Judicial workers should not feel indebted to a particular politician or senior judge who appointed them.
ii. The National Judicial Council should ensure election criteria are obvious and well-publicized to allow candidates, selectors, and others to have a clear understanding of where the election process.
iii. National Judicial Council should ensure that judicial officials have to demonstrate a record of competence and integrity before recruitment or promotion.
iv. There should be civil society participation, including professional associations linked to judicial activities, should be consulted on the merits of candidates.
v. The government should also ensure that the judicial salaries commensurate with judicial official's position, experience, performance, and professional development for the entirety of their tenure; subsequently, fair pensions should be provided on retirement by the government.
vi. Due process and rule of law must be complied with, in the course of investigating corrupt judicial officials.
vii. Severe punishment should be imposed on those who indulged in corrupt practices among judicial workers (e.g, dismissal from office, suspension, compulsory retirement, by sending them to prison to serve jail term and by executing them).
viii. Radio and television jingles should be employed to create awareness across Nigeria so that everybody (including the government) will be aware of the nature, pattern, causes, and effects of judicial corruption.

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