

ECONOMIC GAINS OF WHISTLE-BLOWING POLICY IN NIGERIA: PROSPECTS AND CHALLENGES

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ABSTRACT: *It is no doubt that corruption is a global plague ravaging world's economy. Corruption is depleting the scarce economic resources of developed and developing nations though, at varying intensities. Corruption has also been described as the black hole which must be thoroughly covered. In a bid to fighting corruption in the world, the whistle blowing mechanism was adopted by several countries including the USA, UK, South Africa and Nigeria. To complement the efforts of ICPC and EFCC, the whistle-blowing machinery was adopted in Nigeria by the Muhammadu Buhari/Osinbajo administration in 2016. This paper examined the economic gains, prospects and challenges of the whistle blowing policy in Nigeria. The Role and Framing Theories were adopted in the study to explain the question of morality and persuasiveness through specific communication strategies to the citizens. The methodology used in the study was qualitative deductions from secondary data. The study discovered that the policy has attracted 5,000 tips which led to recovery of several billions of naira. Also discovered, was that there was no law protecting whistle-blowers from victimizations and recriminations. The paper therefore recommends that, the long overdue whistle-blower protection bill of 2011 should be passed into law as an emergency law amongst others.*

KEYWORDS: whistle blowing, economic gain, prospects, challenges, corruption , Nigeria.

INTRODUCTION

Corruption was reverberated by the military government during the forceful take-over of power from the First Republic in 1966. The then civilian government headed by Alhaji Abubakar Tafawa Balewa was blacklisted by the military junta as corrupt. Since then, corruption became the major albatross bedeviling the progress of Nigeria. It thus, becomes the culture of successive governments to accuse their predecessors with alleged charges bordering on corrupt practices and abuse of constitutional provisions.

In a bid to curbing the menace of corruption, several measures were established to fight corruption practices in the country. The Buhari/Idiagbon junta in 1983/84 decreed the War Against Indiscipline (WAI) as a measure to instill discipline, transparency and accountable behaviour in Nigeria. Also, the Obasanjo/Atiku government established two major agencies which are, Independent Corrupt Practices Commission (2000) and Economic and Financial Crimes Commission (2003) backed by Acts of Parliament. Folarin (2012) and Nwankwo (2014) as cited in Salihu (2018) report that during the General Ibrahim Babangida regime, the National Orientation Movement (1996) and Mass Mobilization for Social Justice (1987) were constituted to fight corruption. Similarly, War Against Indiscipline and Corruption (WAIC) was constituted by Late General Sani Abacha in 1996 to complement the efforts of his predecessors in the anti-graft war.

The irony in this episode is that, these regimes were the most corrupt in the history of corruption in Nigeria. Till date, Nigeria is yet to recover the ‘Abacha loot’ while Babangida overtly entrenched corruption in Nigeria. The bizarre orientation is that the ‘leaders loot’ is not corruption in Nigeria. How can a country be free from corrupt practices where the leaders are so pretentious?

During the reign of Nuhu Ribadu, who was the first Chairman of EFCC, corrupt politicians, contractors and business tycoons were brought to book as evidenced by several courts’ judgments and plea-bargain. In order to complement these efforts and to also erase the blighted image of Nigeria as a corrupt nation ranked at 146 position among 180 corrupt countries in the world (Transparency International Index, 2019), the government of Muhammadu Buhari on 1st October, 2016, communicated to Nigerians his avowed commitment to fighting corruption. In Vanguard (2016) as quoted, “Corruption will kill us if we did not kill corruption”.

Based on this overt declaration by the President Buhari during Independence Celebration Speech, the Ministry of Finance under Mrs. Femi Adeosun, introduced the Whistle-blowing Policy that is serving as a watchdog to corrupt practices in Nigeria (Wasiu, 2018). The Whistle Blowing Programme according to the Federal Ministry of Finance (FMF 2016) is designed to encourage Nigerians (anyone) with useful information about a violation of financial regulations, mismanagement of public funds and assets, financial malpractice, fraud and theft to report it. From the FMF whistle blowing programme, it is restricted to violations and abuse of financial procedures, due diligence and related offences or matters in the public sector. This narrowed perspective, will not help the private sector which is the productive aspect of Nigerian economy.

Whistle blowing is regarded as a double edged sword because of the “other side effects” on the whistle blower (Ifejika, 2018). Whistle-blowers are constantly confronted with reprisals and retaliations from the big boss, employers and highly placed politicians in government because of no protection law. Those blowing the whistle in Nigeria are doing so on the basis of morality, public interest and however, at their peril. Despite these challenges, the Nigerian government has recovered some looted funds within this short period of implementation.

It is on this note that, the paper is assessing the economic gains of whistle blowing policy in Nigeria. The paper will also address prospects and some challenges facing the whistle blowing programme. The paper is organized into six sections with introduction as the first section while section two reviews the concept of corruption and whistle blowing. The third section present the theoretical framework adopted by the study. The fourth section assesses the economic gains of whistle blowing policy while the fifth section, addresses the challenges affecting the policy. Finally, the sixth section provides conclusion and recommendations proffered to enhance the implementation of whistle blowing policy in Nigeria.

Concept of corruption

Corruption is a worldwide phenomenon. It is a dangerous black worm that is ravaging the plans and objectives of governments and business organizations in the world. The developed and developing countries are experiencing the destructive storm of corruption however at varying intensity. Corruption simply means disobedience to set standards and procedures, norms and

values, rules and regulations, principles and laws of an organization or nation. Corruption is a criminal offence against the state whether perpetrated by public officers or private individuals. Treismau (2007 as cited in Ejukonemu, 2018) sees corruption as the abuse of power for private gain. According to Ejukonemu (2018), the Nigerian constitution sees corruption as gratification which includes any form of bribery, fraud and other related offences. The consequence of corruption to nation building is grave and the major albatross to the path of growth. It results to decaying infrastructure, fraudulent practices and smeared international image (Mohammed, Aluagha and Kabir, 2012). The effects of corrupt practices are glaring in Nigeria. The signs of poverty and inequality, the loss of public revenue and national threats are causes of the unhealthy state of the Nigerian economy. The country is confronted with a systemic and institutional corruption. The element of misgovernment, misallocation of resources, and kleptocracy are some of the traits of endemic corruption in Nigerian (Ejukonemu, 2018). Oruene sees Nigeria as the black hole of corruption and a notorious fact that corruption is endemic in Nigeria (Oden, 2016).

Lumumba (2011) and Amadi and Ene (2014) identified corruption as major impediment to good governance, efficient utilization of resources, prosperity and development of nations around the world. Transparency International (2009 as cited in Salihu, 2019) defines corruption as abuse of entrusted public position for personal gain, corroborating the definitions of Treismau (2007) and International Monetary Fund (2005) which also sees corruption as the abuse of public office for private benefit. Nye (1967 as cited in Salihu, 2019) expanded the scope of corruption to include behaviours that deviates from normal duties of a public role because of private gains-family gains or pecuniary gains. Corruption is the embodiment of the following crimes-bribery, embezzlement, subsidy and pension theft, fraud, contract and procurement inflation, money laundering and price fixing. Corrupt practices also include act of indiscipline, cronyism, admission fraud, grade trading and examination malpractices, perversion of justice, foreign exchange swindling, hoarding and smuggling, over-invoicing among others (Caiden, 2001, Olugbenga 2007. Folarin, 2012 cited in Salihu 2019).

Ifejika (2018) once again describes corruption as an albatross to social, economic and political development in the world. It is rather a ubiquitous phenomenon in the public and private sectors of the economy. The author also contends that, corruption is the arch log in the wheels of progress of developing countries. Transparency international report states that corruption in developing countries is a 'regressive tax' geared that is scorching the poorer households. Ogbu (2017) holds the view that corruption is the greatest problem confronting modern Nigerian and the worst form of human violation. It is believed that as you fight corruption, it will fight back. Corruption is war against humanity. Therefore, humanity must unite to squarely fight corruption.

Corruption in the world is caused by depraved men and established institutions. Nigeria, being a peculiar and most populated black nation in the world, is bedeviled by all forms of corruption-systemic, institutional, ethnic, political, educational, religious and endemic corruption. The cause of corruption in Nigeria is rooted in ethnic and religious schisms. No man, no woman, no boy and no girl think Nigerian. The Ibo thinks as an Ibo-man, the Ijaws think as an Ijaw-man, the Fulanis/Hausas think as a Fulani/Hausa man. The country is divided, the people are divided and the centre no longer holds. Scholars have agreed that greed, cultural values, secrecy in government activities, poor governance and lack of political will to prosecute perpetrators

of corrupt practices are identified causes of corruption in Nigeria (Nageri, et al, 2013, Amundsen, 1991, Folarin, 2012 as cited in Salihu, 2019). Poverty is not the cause of corruption in Nigeria rather corruption which is committed by those in privileged offices manufactured poverty in the land to answer the question posed by Ejukonemu (2018).

Concept of whistle-blowing

Whistle-blowing is a mechanism adopted by modern government to fight the menace of corruption. It is the act of raising the red flag to symbolize an awful occurrence or deviation from standards in an organization. Whistle-blowing is raising concerns about misconduct within an organization (Nolan Committee on Standards in Public Life cited in Ifejika, 2018). The International Labour Organization defines whistle blowing as reporting by employees or former employees of illegal, irregular, dangerous and unethical practice by employers (OECD, 2010). Ifejika (2018) sees whistle-blower as the person who reports wrongdoing or inappropriate activities to appropriate authorities. Similarly, whistleblower is a person who informs people in authority or the public that the company he works for is doing something wrong or illegal (Oxford Dictionary, 2018).

The act of whistle blowing is as old as man on earth. In the African tradition, whistle blowing is the act of raising alarms to alert or call on the people to be aware of the evil happenings in the society. Local terms like “ole- ole – ole” ‘whu-whu-whu’ ‘abo-abo-abo’ represent bad events such as burglary and theft, someone is fainting or slumps etc. At times, the talking-drum or trumpet is blown to inform the people of the latest development in the community. Literally, whistle blowing means blowing the whistle and whistle blower connotes someone who blows a whistle. Whistle blowing is commonly associated with sporting activities and eventually, the police introduced it as means of calling the attention of someone to criminal and secret activities.

Wasiu (2008) argued that whistle blowing policy was adopted by the United States of America after the failure of multinational companies such as Eron, Tyco International, Adelphia, Peregrine Systems and Worldcom that led to the global economic meltdown in 2001. In swift reaction to the meltdown, US Senator, Paul Sarbanes and US Representative, Michael G. Oxley sponsored a bill in 2001 which was passed in 2002 tagged Sarbane-Oxley Act, (2002). The Act grants protection to employees of publicly traded companies against retaliation. United States of America as a leading innovator in whistle-blowing laws has made great impact in protecting whistleblowers in both public and private organizations through legislations. These laws have influenced international agencies such as World Bank, Organization for Economic Cooperation and Development (OECD) and Organization of American States (Johnson, 2003) in drafting policies and programmes.

Contrary to the submission of Wasiu (2018), the practice of whistle blowing in the United States dated back to the American Revolutionary War (Kohn, 2011). American congress passed a law that allows military to report cases of prisoners’ abuse in 1777. The False Claims Amendment Act (1986) empowers citizens who suspected abuse (realtors) to bring qui tam suits. The FCA created incentives for private individual to report fraud and root out corruption from America. David and Khachik (2015) suggest that whistle-blowing laws address three areas of corruption, namely, government corruption-bribery, misuse of resources and fraud, corruption which takes place in the private sector or among non-governmental organisations

(NGOs) and political abuse. These three areas of corruption could be classified into public and private corruption.

The United States of America has several laws designed to protect whistle blowers in American soil. The FCA (1986) was enacted to protect whistle blowers in the public sector, the Sarbanes-Oxley Act (2002) was also designed to protect and incentivise whistleblowers in the private economy. The American Bar Association in the Model Rules of Professional Conduct (2018) encourages and mandates lawyers to take affirmative steps in ensuring their corporate clients conform to the law. The American Recovery and Reinvestment Act (2009) empowers whistle blowers to file reports of misconduct or fraud related to their job duties and Dodd-Frank Act (2010) was adopted in response to the financial meltdown and scandals that led to economic crash of 2008 and empowers whistleblower to file anti-retaliation claims within 180 days. Other laws such as the Intelligence Community Whistleblower Protection Act(1998) creates procedures that allow employees and outside contractors of some agencies to report allegations of illegal activities to Congress. Also, the Whistleblower Protection Enhancement Act (2012) is another law which protects whistle blowers in America. According to the testimony of Lt. Col. Anthony Shaffer, an employee of the Defense Agency reported a fraud perpetrated in the agency and was retaliated by revoking his security clearance. It is on this outlay of whistle blowing laws, that one is compelled to state that United States of America is indeed the leading innovator in whistle blowing laws on the fight to root out corruption from the world.

Onodugo (2014) in his address, "whistle-blowing :inspiring chartered accountants", identified the major laws regulating whistle blowing in 11 independent countries: United Kingdom (UK Public interest Disclosure Act, PIDA, 1998), The United States of America (US Sarbanes-Oxley Act, 2002), France has France, Act nr. 2007-1598 of 13 November 2007 (article 9), South Africa (Protected Disclosure Act, 2000), Australia (Australia Capital Public Interest Disclosures Act; 1994), Canada has Public Servants Disclosure Protection Act, 2005), Japan enacted Whistleblower Protection Act in 2004, Korea, (Act on the Protection of Public Interest Whistleblowers, 2011), New Zealand has Protected Disclosures Act, 2000' and Romania enacted Whistle blower Protection Act (Law 571) of 2004 but in Nigeria, the Whistleblowers Protection Bill, 2011 has not been passed. The National Assembly is still dilly-dallying for these nine years ? What are big question mark?

In Nigeria, whistle-blowing is a policy not a law. The policy according to the FMF-Whistle blowing programme, defines a whistleblower as a person who voluntarily discloses to the Federal Government of Nigeria through the Federal Ministry of Finance, a possible misconduct or violation that occurred, is ongoing, or is about to occur with specific concerns in public interest. The policy specified fifteen (15) violations that warrant blowing the whistle such as violation of government financial regulations, mismanagement of public funds and assets, information on stolen public funds, information on concealed public funds, financial malpractice, fraud, theft, collecting or soliciting bribes and corruption amongst others. It is admonished that the whistle blower should hold a reasonable belief that the information provided is true.

The whistle-blower can submit information to Federal Ministry of Finance and Presidential Initiative on Continuous Audit Unit through online portal or in writing and by calling 09098067946 (FMF, 2016). Additionally, Salihu (2019) and Daniel (2017) state that the

whistle blowing policy is made up of three major parts –information channels and the type of information required , the rewards and protection of whistleblowers. The information must be authentic and revealed on reasonable grounds, good faith and public interest. Whistle blowers are encouraged to report to the appropriate authority (EFCC and ICPC or Ministry of Finance) any information of misconduct and violations of financial regulations (Procurement Acts, financial regulation Acts and other extant laws). FMF (2016) also specified that a whistle blower who provided the government with information that leads to the voluntary return of stolen or concealed public funds or assets is entitled to 2.5% to 5.0% of the amount recovered. Whereas, the False Claim Acts (1986) and the Dodd-Frank Ad (2010) of the United States of America made provision for 30% of the recovered fund as reward (incentives) to whistle blowers. These Acts also provide for the compensation of whistleblowers who suffered reprisals and retaliations from their employers. They are also protected under these Acts in USA.

THEORETICAL FRAMEWORK

The study adopted the Role and Framing Theories based on their intrinsic relevance to whistle-blowing policy and the anti-graft war. Whistle-blowing is all about reportage of misconduct on the basis of ethical beliefs and public good. Ogbu (2017) contends that the decision to blow the whistle is a precarious one resulting to severe harms from those whose misconducts and impropriety are exposed. in order to answer the moral burden question and to persuade Nigerians to blow the whistle, the contents , context, objectives and significance of role and framing theories are unravelled in this paper.

Ifejika (2018) sees role theory as a dominant theory in sociology that explains the complex nature of social behaviour. The author further contends that human beings behave in different and unpredictable ways based on their diverse social identities and situations. The proponents whose theoretical works popularized the role theory in the discipline of sociology were George Simmel, George Herbert Mead, Ralph Linton, Jacob Moreno and Talcott Parson. Lattimore, Baskin and Heiman (2004) as cited in Ifejika (2018) define roles as a collection of everyday activities of the people. Social roles consist of a set of rights, duties, expectations, norms and behaviours that a person has to endeavour to accomplish (Michener and Delamater, 1979).

Scholars in Sociological Science have different views on role. Some believed that roles are basic expectations about how a person should behave in a particular situation. Others are of the opinion that, roles guide individual's behaviour which is partly dictated by social structure and partly by social interactions. Role theory thus, bridges individual behaviour with social structure (Sesen, 2015). Role is defined according to cultural norms, values and expectations, respect and recognitions, self esteem and satisfaction which are the pillars of social structure and social interaction in the society.

In other words, role is the function which an individual performs in the society. Every living person in the household, group and the society has a specific role to play. This argument addresses the mindset of the functionalist school of thought in sociology. They see role as the set of expectations that society places on an individual (Sesen, 2018). Society expects individuals to maintain and sustain the norms and values handed-over to them by their forebears and that unethical behaviours are usually sanctioned by constituted authorities. It is

on this note, that every Nigerian is expected to play his or her role by blowing the whistle to expose corrupt practices in the country. Whistleblowers in Nigeria are assumed to be exercising their moral obligations by reporting misconducts and financial impropriety to EFCC and Ministry of Finance through the appropriate channels.

The incidence of bad governance in Nigeria has created suspicion in the minds of her citizens coupled with the ruins of ethnic chauvinism and religious bias on their psyche about government policies and programmes. The government is no longer trusted or reliable because many disbeliefs and misconceptions have been enthroned in the people's minds. In order to set the records straight and also clear doubts, there is need for mass mobilization for national reorientation of the people. The need for total over hauling of the people's mindset is critical to the success of the whistle-blowing programme in Nigeria. This endeared the Framing Theory to the study as a mechanism of communicating the good objectives and significance of the whistle-blowing policy to the people.

Ogbu (2017) sees the Framing Theory as a framework for understanding the relevance of communication strategies in ensuring effectiveness and persuasiveness of policy initiatives. The effectiveness of the whistle blowing policy is dependent on the acceptance and responses from Nigerians. The willingness of Nigerians to participate in the programme largely impinged on the persuasiveness of the communication strategies and the thrust of the policy. The origin of the theory is traceable to the work of Gregory Bateson in 1955. Framing Theory is also known as the second level of Agenda Setting Theory (Ardevol-Abreu, 2015, McCombs, 2006 as cited in Ogbu, 2017).

Ardevol-Abreu (2015) opines that framing a policy depends more on applicability than repetition and accessibility engendered by Agenda Setting Theory. Applicability in this context, means the ability to generate interpretive schemes that can be applied to different situations. The ability is to connect the audience's mind during the process of opinion formation that will influence their attitudes and behaviours (Zhou and Moy, 2007). In Framing the message to be disseminated to the public, the provision of salience information will help the people locate, perceive, identify and label the flow of information and its purpose. This salient and specific information influence their thoughts, ideas and attitudes. The media is the anchor for passing institutional information to the public.

Therefore, in framing the information about the whistle blowing policy of the government to the people, the media should identify the peculiarities of the people, their ethnic beliefs, religious norms and values and government resolve to fighting corruption should be blended in the message. Corruption is the common enemy to all Nigerians and we must rise to fight this black hole.

Prospects and Economic Gains from the Whistle-blowing Policy.

The major objectives of the whistle-blowing policy are to fight corruption and energise good governance in nations that have welcomed the initiative. The initiative to blow the whistle was accorded official recognitions in the 7th century, in England and specifically by the declaration of King Wihtrud of Kent in 695 that, "if a freeman works during the Sabbath, he shall forfeit his profits, and the man who informs against him shall have half the fine and profits of the labour" (Ogbu,2017).The vision or prospects of government is to establish institutions

governed by laws and endeavour that these rules and regulations are adhered to by the citizens of the country. To enhance a free and egalitarian society, it is morally and ethically justifiable that, all men should do its lawful duties and also help in policing the society. The declaration of King Wihfred (695) suggests that whistle blowers should be empowered monetarily to motivate them to report any violation of the country's legislations.

This informed the enactment of the False Claims Act (1863) and the Dodd-Frank Wall Street Reforms and Consumer Protection Act, (2010) in the United States of America which provided for 30% of the bounty as a reward to the whistle blowers. In similar vein, the African Union Convention on Preventing and Combating Corruption (2003) encourages member states to develop mechanisms to detect, prevent, punish and eradicate corruption and related offences in the public and private sectors (AU, 2003). It is against this background that, the Nigerian government established the Independent and Corrupt Practices Commission, ICPC, (2000) and Economic and Financial Crimes Commission, EFCC (2003) and recently, the whistle blowing policy in (2016) was instituted to complement its sister bodies in the combat against corruption and related offences. These efforts, no doubt are yielding bountiful results.

Ogbu (2017) sees whistle-blowing as a mechanism that fosters the culture of good governance, transparency, disclosures, responsibility, accountability and intolerance to corruption. Martin (2010) reveals that International, Continental and Regional laws prescribe five major objectives of whistle blowing amongst others such as: a key instrument in the fight against corruption and unlawful conducts, to promote the culture of openness and transparency, to ensure political accountability in the use and management of public and private resources and properties and to promote socio-economic developments in developing countries. It also ensures public good and reduces poverty in nations. The policy has intrinsic value to organisations by promoting good organisational governance that enhances effective internal risk management.

The intentions, rather prospects of the Nigerian government are casually spelt out in the Federal Ministry of Finance, frequently asked questions (FAQs) document titled FMF- whistleblowing (2016). It thus explains that, the whistle blowing programme is designed to encourage anyone with information about a violation of financial regulations, mismanagement of public funds and assets to report it. Based on this, the whistle blower is entitled to 2.5%-5.0% of the amount recovered. There exist a wide margin in the specified reward when compared to the 30% reward provided in the FCA (1893) and Dodd-Frank Act (2010) in the USA. This portrays that the Nigerian government is still learning and maybe, does not recognise the weight of persuasive incentives or lack of seriousness.

The FMF (2016) anticipated six gains that will assist in transforming the Nigerian economy. The policy intends to increase exposure of financial crimes to support the fight against corruption, to improve public confidence in public entities, to enhance transparency and accountability in the management of public funds, to also improve Nigerian Open Government Ranking and Ease of Doing of Business Indicators and lastly, to recover looted funds to finance infrastructural deficit in Nigeria. To achieve these laudable objectives, the Federal Ministry of Finance released its website, whistle@finance.gov.ng, whistleblowing portal and telephone number 09098067946 to the public for their attention and lodgement of information.

Ejuronemu (2018) and Ogbu (2017) investigations on the impacts of the whistle-blowing policy in Nigeria agreed that a total number of 2,257 cases of fraud and illicit transactions have been reported to appropriate authorities. This was corroborated by the article published by Obinna Chima on Thisday exclusive story. It was discovered that a large number of the actionable reports were delivered by bankers and middle-level account officers who may be seeking their share from the looted funds that were stashed for their clients according to (Ogbu 2017). This revelation was equally affirmed by Ejuronemu (2018) who claimed that the whistle-blowers were mostly bankers and account officers who decided to take advantage of the reward embedded in the policy.

The 2,257 cases of corrupt practices received from whistle-blowers include information about contract inflation, conversion of government assets to private use, ghost workers, payment of unapproved funds, embezzlement of salaries of terminated personnel, improper reduction of financial penalties and diversion of funds to personal commercial bank accounts to earn interest. Others are non-remittance of pension and National Health Insurance Deductions (NHIS), failure to implement projects for which funds were provided, violation of Single Treasury Account (TSA) regulations by stashing funds in commercial banks, violation of Federal Inland Revenue Service, FIRS (VAT) regulation by adjusting the Value Added Tax Payment, non-procurement of equipment required for aviation safety and other embezzlements (Ejuronemu 2018, Ogbu 2017 and www.thisdaylive.com).

Wasiu (2018) in his exposition reported according to Dailytrust on April 18, 2017 report that, the whistle blowing initiative had resulted to the discovery of \$9.8 million cash stashed in Kaduna slum residence in Sabon-Tasha and over \$30million cash in an apartment in Ikoyi, Lagos state totalling \$39.8 million. It was also recorded in New Agency of Nigeria report on February, 12, 2017, that the whistle blowing policy had yielded \$151 million and N8billion of looted funds. A whopping sum of \$136,626.51 million was recovered from an account in a commercial bank bearing a fake name. Another recovery was made in the tune of N8billion and \$ 15 million from an undisclosed sources. The sum of \$9.2 million was recovered from the Former Group Managing Director of the Nigerian National Petroleum Corporation, (NNPC), Mr Yakubu. According to the report, the total looted monies recovered thus amount to \$160 million (NAN, 2017, Wasiu, 2018 and Ejuronemu, 2017). President Muhammadu Buhari warmly declared on Friday 12th June, 2020 while delivering his speech to commemorate democracy day that , his government had recovery 800billion dollars through the whistle-blowing policy. This is a milestone achievement in fight against corruption in Nigeria.(The Nation, 12/06/20).

Devas et al (2004) and Rakodi (2014) as cited in Ejuronemu (2018) were of the view that policy interventions from government help to extricate the problems of poverty, vulnerability, social exclusion and identification of constraints on the ability of individuals, households and communities to access key assets and services in a country. The argument is that , through the whistle-blowing policy, whistle-blowers represented by banker and account officers have indeed benefited due to the 2.5%-5% stipulated reward and the society would also benefit when recovered funds are judiciously spent in financing the infrastructure deficit in the country.

Challenges of Blowing the Whistle in Nigeria.

Ifejika (2018) describes the challenges facing the whistle blower as the 'other side effects' in his discourse. The other side effects faced by the whistle-blower manifest as victimization, witch-hunting, retaliation, denial of related benefits, recrimination, suspension from work and worst still, outright dismissal from service by the employer. The author further posits that the whistle-blower who in good faith and public spirit seeks to protect the society from wastages are in most cases branded as trouble makers, informants, snitchers or tale bearers who must pay for their actions. These challenges depict that corruption is fighting back. Curtis (2006 as cited in Onodugo 2014) asserts that the personal risks and cost of blowing the whistle include lack of peer support, transfer to undesirable posts or jobs and firing. Onodugo (2014) also added threats to life (late Dele Giwa was letter bombed during Babangida's regime), loss of income and time in litigation, loss of reputation to the firm, and the psychological dilemma in the whistle blowers' mind.

To buttress the heavy cost borne by the whistle-blower in Nigeria, notorious instances of victimizations, reprisals, denials, suspensions and dismissals are succinctly captured according to Ifejika (2018) study. The Ministry of Foreign Affairs unlawfully suspended Assistant Director from work for exposing a financial fraud to the tune of N70.6 million in the Directorate of Technical Cooperation in Africa (DTCA). In the same vein, Mr. Nita Thompson was the whistle-blower who reported the matter to the Economic and Financial Crimes Commission (EFCC) and the Inspector General of Police seeking for possible action as well as necessary protection. An awful incidence in this case was that, police reported that Mr. Thompson was not under serious threat and should not be given special protection. Another case was that of Mrs. Fatima Bamidele, the Permanent Secretary of Ministry of Niger Delta was under serious threat for uncovering the fraud involving the sum of N803,000,000.00 by staff of same ministry to Economic and Financial Crimes Committee (EFCC). Similarly, Mr. Aaron Akase, a staff of Police Service Commission blew the whistle to uncover alleged fraud in the commission roping the management was thoroughly humiliated, suspended indefinitely without salaries with serious threats to life and family.

Also, a former House of Representative and chairman, Appropriation committee was suspended from the House for revealing that the 2018 national budget was padded to the public. Furthermore, the former Central Bank of Nigerian (CBN) governor, Mr Sanusi Lamido Sanusi was unceremoniously suspended from office because he blew the whistle over alleged disappearance of the sum of \$20 billion from the public treasury. It was equally reported in August, 2011 that, a staff of the National Women Development Centre Abuja, who revealed the alleged embezzlement of N300 million meant for poverty alleviation but diverted by top members at the centre was unlawfully dismissed from service. With these practical cases, the whistle-blowing policy is indeed a 'double-edged sword' because the whistle-blower's life, is in grave danger. The danger to life, family and job are the dilemmas facing the whistle blower in an unsecured society. The 2.5% - 5.0% reward package does not worth the endangered life of the whistle-blower. It therefore stands that the whistle-blower is not motivated by the monetized incentives but for the inherent morals and faith energized by cultural norms and values and public good. The reward may be adjudged as a secondary and necessary factor for service done to humanity.

Wasiu (2018) also enumerated five challenges confronting the whistle-blowing policy in Nigeria such as lack of appropriate laws, prolonged prosecution of accused persons, lack of continuity in government policies and the unstable political terrain in the country. Ifejika (2018) supported the arguments of Wasiu (2018) that, the unwarranted abuses and maltreatments of whistle-blowers is caused by lack of protection law, indifference to good governance and no political will to combat corruption head long. The implications are that, whistle-blowers are discouraged and the citizens will lose confidence in the government and if care is not taken, corruption and corrupt people will defeat the genuine efforts of government.

CONCLUSION AND RECCOMENDATIONS.

Conclusion

In this paper, we examined the economic gains, prospects and challenges of the whistle-blowing policy in Nigeria. The study discovered that the act of blowing whistle is as old as man on planet earth and that local terms like ‘ole-ole-ole’, ‘whu-whu-whu’ and ‘abo-abo-abo’ and the ‘talking-drum’ were functioning as the whistle in traditional society. Whistle-blowing is a mechanism for fighting corruption in the world. The policy is useful for protecting public interest and saving society from dangers and losses. The gains from the whistle blowing policy are explicit and enormous in Nigeria. Through policy intervention, over \$160 million looted funds have been recovered within 3 years of effective operations.

However, whistle-blowers are suffering from reprisals, retaliations and recriminations from employers and those whose misconducts are being exposed. Several laws have been enacted to protect and compensate whistle-blowers in the USA, UK, and South Africa but there is no whistle-blowing law in Nigeria. Those blowing the whistle in Nigeria are doing so in good faith and at their own peril. The provisions in ICPC and EFCC Acts are not sufficient to protect whistle-blowers in the country.

It is also discovered that the National Assembly of Nigeria is frustrating the passage of the Whistle-Blowers Protection Bill, 2011. The law making house has been dilly-dallying on the bill for over a decade while the Sarbane-Oxley Act (2002) was passed and assented within a year in USA. This is tempting us to question the sincerity of government in the fight against corruption in Nigeria.

The adages of national and international heroes are apt and timeous in this anti- graft war in Nigeria. Accordingly, Martin Luther King (Jnr) avered that, ‘the ultimate measure of a man is not where he stands in the moments of comfort and convenience but where he stands at times of challenge and controversy.’ In similar vein, the Noble laurette, Prof. Wole Soyinka, once said ‘ a man dies when he keeps silent in the face of tyranny or injustice’ Whistle blowers are therefore enjoined to stand upright no matter the odds. We should stand for morality, public interest and good governance.

Recommendations

Based on the ‘other side effects’ of the whistleblowers and the challenges impeding the war against corruption in Nigeria, this paper recommends the following measure:

1. We are aware at that there are provisions in extant laws that partially addressed the issue of whistle-blowing such as sections 28 and 64 of ICPC Act (2000), and Section 39(1) of the EFCC Act (2003) and Section 27 (2) of Freedom of Information (FOI) Act (2011) which

are not sufficient to provide adequate protection for whistle-blowers in the country. In view of this and to also maintain international standards in the fight against corruption, the overdue Whistle-Blowers Protection Bill, 2011 should be passed into law as an emergency law by the Nigerian National Assembly. Whistle-blowers will feel more protected and incentivised under the law than mere somersaulting policies in Nigeria.

2. Credible and transparent election is the backbone for good governance in modern world. It is evident that responsible, responsive and visionary leaders are produced through a free, fair and credible election which is hard to find in developing clime of the world. Arguably, corrupt and pretentious leaders cannot fight corruption no matter the well-conceived law or policy. That is why the House that manufacture these leaders must be truthful and faithful to the constitution of the land. Current leaders are advised to have a fresh orientation of transforming the country by ensuring peaceful and credible transitory elections in the country.

3. We strongly disagree with Ogbu (2017) who asserts that the 2.5%-5.0% reward for whistle-blowers who genuinely informed the government on looted funds as a 'business proposal' to the citizens. In the USA, the Sarbane-Oxley Act (2002) and the Dodd-Frank Act (2010) provided for 30% reward package for whistle-blowers. The American government values the efforts of whistle blowers, the risk attracted and the vision to root out corruption from its soil. It is hereby recommended that the rewards scheme for whistle blowers in the proposed bill be shoot upwards to 30%. This will kill sentiments in the minds of the whistleblowers and more revelations would be made which will result to more recovery of looted funds for infrastructural renaissance of the country.

4. The ICPC and EFCC institutions should be equipped with competent staff energized through regular and modern training on techniques for detecting frauds and related crimes. The extant laws should be amended where inadequacies manifest due to global changes in financial transactions and regulations.

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