

Evaluation of Whistleblowing Policies as an Anti-Corruption Strategy in Nigeria: Relevance to Healthcare Governance and Institutional Accountability

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Abstract

Corruption is a cankerworm that has eaten deep into almost every system in Nigeria. It is a crime with such a despicable viral effect and disastrous tendency like a terror bomb. Though it is more of an executive crime but no well-meaning government handles corruption with levity because the extremity of its ugly tentacles is capable of obstructing good governance. Therefore, the system has to be sanitized to make the process hitch free for strategic developmental adventure. One of the major challenges in the fight against corruption is detecting and exposing corruption. The whistle blowing therefore becomes a veritable means to fight this cancerous crime. Against this backdrop, this paper seeks to examine where is the whistle blowing policy in Nigeria? An anti-corruption strategy Based on the gaps in literature, this paper recommends among others a performance review system that is tied to rewarding whistle blowing; ways to protect whistle-blowers and the need to strengthen organizational support structures for whistleblowing.

Key words; Whistle Blowing and Corruption.

INTRODUCTION

Corruption, by every index, is by far the greatest problem antagonising the modern Nigerian state. From the administration of Sir Abubakar Tafa Belewa at Independence till the current administration of President Muhammadu Buhari, the peril of corruption has resisted almost every attempt to alleviate it. The slogan: ‘if you fight corruption, corruption will fight back’ is very popular among administrators and political gladiators and has always been used as a pretext or rationalisation for acquiescence or inaction by both the government and the citizenry on the exigency of prioritizing the ‘war against corruption’ in Nigeria (Silk, 2017). Although various governments have tried in different ways and with different forms of legislation to contain the scourge of corruption, success has been slow in coming.

Dauda (2017) reported that the idea of establishing a body to fight the menace of corruption in the world is traced to Asia in which the first anticorruption commission was first set up in Singapore in 1952 followed by Malaysia and Hong Kong. Today there are nearly 150 of such agencies or bodies throughout the world (Transparency International, 2014). Many African states have established anticorruption offices, agencies, bodies and commissions with some of them adopting multi-agency approach such as Nigeria, Kenya and South Africa, among others, while others adopted a single-agency approach with the mandate of tackling corruption at the national, state and local level of governance. Also, there are coordinate bodies at the regional and sub-regional

levels to ensure harmonisation of normative standards and the adoption of best practices in the fight against corruption (Open Society Foundations, 2016). In spite of these efforts, it is argued that efforts to rid Africa of corruption have been a gross failure (De Maria, 2010).

In order to complement efforts of the existing anti-corruption bodies in Nigeria such as EFCC, ICPC, CCB and BMPIU, etc, the current administration under the leadership of President Muhammadu Buhari on December 21, 2016 announced its decision to adopt the whistle blowing policy with the promise of rewarding whistleblowers who exposes fraud and other related crimes in the public or private sectors (Adetayo, 2016; Nwabughio, 2016). The decision which was made known to the general public by the Minister of Finance, Mrs Kemi Adeosun, was received with mixed feelings. While majority of people perceives the decision as a good step in the right direction, others maintain that the adoption of the policy is a waste of time and resources. Against this backdrop, this paper seeks to examine where is the whistle blowing policy in Nigeria? An anti-corruption strategy.

Conceptualising Whistleblowing

A whistle blower is a person who tells the public or someone in authority about alleged dishonest or illegal activities occurring in a government department, a public or private organization or a company. The alleged misconduct may be classified in several ways; a violation of law, regulation and or a direct threat to the public interest such as fraud, health /safety violation and corruption (Hannigan 2006). Miceli, (2011) describe whistle blowers as committed members of the organization who feel compelled to report wrongdoing by their own sense of moral behaviour. However, this act is not always seen positively by organizations. Whistle-blowing could be linked to ethics and morality; the act of whistle-blowing is usually not a legal obligation but a personal choice. The driving force for whistle blowing is the call for individual responsibility. And whether an individual will blow the whistle or not depends on whether the whistle-blower perceives individual responsibility and has the gut to shoulder the responsibility.

By way of definition Whistle-blowing has been defined as ‘...a colloquial term usually applied to the raising of concerns by one member of an organization about the conduct or competence of another member of the same organization or about the activities of the organization itself (Onuegbulam, 2017). A Whistle blower is characterized as reluctant dissenters moved neither by altruistic nor selfish concerns, but rather by tide of events over which they feel they have little control. Buckna and Kleiner (2013) refers to a whistle blower as a person who exposes falsehood and corruption although he or she is aware of the potential negative outcomes of this act, which may include loss of job. A whistle blower is a person who voluntarily discloses to the Federal Government of Nigeria, through the Federal Ministry of Finance, a possible misconduct or violation that has occurred, is ongoing, or is about to occur with specific concerns which are in the public interest. The whistle blowers are vulnerable not only to organizational reprisal but also to the chastisement at the hands of other organizational members, organizational members react and most likely show retaliation against whistle blower.

Thus, whistleblowing is not a risk-free decision or initiative for any individual as it can entail direct and undesired consequences for the person raising voice against some wrongdoing. Whistle-blowers can be considered as ethical consistent employees who disclose in good faith unethical practices within the workplace, thereby expecting investigation of the disclosure. Whistle-blower as a term is synonymous with the term informant but they are not exactly the same thing. While Informants are often involved in some sort of unethical activities and use their disclosure as a means to clarify their own role or to reduce their liability, whistle-blowers reveal information by their own will, selflessly, in good faith without any personal interest but because of their commitment to public interest and public good.

Concept of Corruption

Corruption has become a global virus threatening the stability of the international political economy. Its unwholesome effect on human development has precipitated organized efforts to curb its expansion. Corruption is a term used to describe acts that are considered immoral, such as fraud, graft, bribery, stealing, perjury, lying, dishonesty, indiscipline, and debased act like sexual immorality or perversion. Corrupt acts also include economic and financial crimes, nepotism, favouritism or discrimination and partiality in decision-making or allocation of values. Corruption thus represents degeneration from the normal, that is, an anti-social behaviour (Okojie & Momoh, 2013). By inference therefore, corruption goes beyond the narrow definition of the World Bank as the use of public office for private gain (Hulter & Shah, 2000).

Our operational definition of corruption will however be flowing from the United Nations guideline in its 'Manual on Anti-Corruption Policy III', which distinguishes two important corruption typologies namely, grand and petty corruption. Grand corruption represents such anti-state acts as looting, 419 scam, money laundering and operation of illegal foreign bank vaults by public officers and private individuals. Such other acts as immorality, dishonesty, perjury, though related to grand corruption, will be considered as petty corruption. Grand corruption is thus another term for public corruption; while petty corruption may refer to private corruption. However, both are not mutually exclusive as aspects of one can be gleaned from the other.

Okojie and Momoh (2013) define grand corruption as an act which is widespread and systematic in nature and damaging to the local economy. To commit grand corruption is to commit economic crime and those who commit it are being regarded as 'economic criminals'. However, there is also the phenomenon of political corruption that further explicates the term, grand corruption. Political or grand corruption has brought much social decadence upon the Nigerian State, carrying along with it, such rotten baggage as god-fatherism, influence-peddling, rigging of elections, manipulation of and buying of votes, manipulative political financing, embezzlement in office, and fraud. Aiyede (2006) defines political corruption as the abuse of public or governmental power for illegitimate private advantage.

The Nigerian anti-corruption law has identified corrupt practices as, the use of pecuniary advantage, insincerity in advice with a view to gaining advantage, less than a full day's work for

a full day's pay, tardiness and laziness towards public office or tasks, failure to report cases of inducement to the anti-corruption bodies, among others (Akanbi, 2004; Aiyede, 2006). Hence, it is often defined as a polygonised process whereby sides are involved and each of these sides must contribute or perform its task affectively in order to make it function effectively (Omojola, 2010). As militant materialism and moral miasma engulf the entire society, with a weak institution of governance, fantastic fraud becomes the norm, just as public position, become conquered territory for unbridled self-environment.

The epoch of globalization which facilitated the triumph of capitalism, movement of ideas, persons, goals and services beyond national barriers have unwittingly created some values which have emboldened the incidence of corruption. Even countries and regions perceived to be immune from corrupt tendencies have joined the international grid of corruption. It is against this prism that many African scholars believe that graft was part of the imperialist importation in Africa. Babalola averred that: African society was a perfect typology of transparent and honest human conduct. It was a society thickly shrouded in an ambiance of impeccable values, ethnic and moral rectitude. Corruption was therefore virtually non-existent in the 'pure', 'original' African Society (Babalola, 2007).

As capitalist values and ethics anchored on profit maximization at all cost influenced the whole gamut of colonial administration. By the time of political independence, this unAfrican ethical orientation had become an essential part of officialdom. They were legitimized through a series of obnoxious enactments and primordial sensibilities. Perhaps, this was why Ekekwe (2012) declared that corruption necessarily exist in and is encouraged by every capitalist economy, since in such an economic system the drive and competition for private profit and accumulations are the motor. Since the public sector is the fulcrum that swings in most developing countries, corruption seem to be endemic there. This is because the struggle to participate in sharing the state patrimony is high. The phenomenal rise of corruption defying national boundaries and engulfing the private and public sectors has provoked global condemnation and a plan of action. In the Foreword to the United Nations Convention by Against Corruption through the United Nations Assembly Resolution 58/4 of October 31,2003 Late, Kofi Annan, former United Nations Secretary-General Stated that 'corruption is an insidious plaque that has a wide range of corrosive effect on societies.

In May 2016, the Prime Minister of Britain, David Cameron organized an Anti-corruption summit in London. Nigeria's presence was noticeably encouraging. It demonstrated the country's unstinting determination to reduce corruption which has almost imposed grinding impotence, rising disillusionment and gnawing frustration in the society. According to the London 2016 communiqué: corruption is at the heat of the world's problems. It erodes public trust in government, undermines rule of law, and give rise to political and economic grievances that may, in conjunction with other factors, fuel violent extremism. Tackling corruption is vital for sustaining economic stability and growth, maintaining security of societies, protecting human rights, reducing poverty, protecting the environment for future generations and addressing serious and organized crime.

The Whistle-blower Protection Bill

Reporters without Borders positioned Nigeria as a country both open to the press and suffering from government-induced restrictions and reprisals, ranking it 111th on its 2015 World Press Freedom Index. In 2013 the Committee to Protect Journalists placed Nigeria on its Impunity Index, a ranking system highlighting countries in which journalists are killed at an abnormal rate and convictions or investigations are consistently fruitless. 2013 marked Nigeria's first appearance on the list--before repeating in 2014--as the report connected the peril of journalists to the internal struggle with the extremist group Boko Haram. Over the past three years, Transparency International has ranked Nigeria near the bottom of its Corruption Perceptions Index, placing the country 134th in 2014.

A Freedom of Information Act, first introduced in 2006, passed through the Nigerian Senate and House of Representatives in May 2011. Intended to protect personal privacy and provide access to information consistent with public interest, the act aims to “protect serving public officers from adverse consequences for disclosing certain kinds of official information without authorization.”¹⁵⁸ Ostensibly conceived as a measure to protect whistleblowing, Section 27 of the legislation bars interested or affected parties from pursuing criminal proceedings against officers or persons disclosing information in good faith.¹⁵⁹ Subsection 27(2)(b) and (c) describes approved disclosures as presenting information that gives evidence of “mismanagement, gross waste of funds, fraud, and abuse of authority,” as well as dangers to public health or safety.¹⁶⁰ Critics of the act, however, note that Section 27 refers only to public institutions, giving no mention to private entities. Additionally, Section 27 narrowly bans the advancement of legal cases against whistle-blowers, but gives no mention to other subtler means of reprisal aimed against those disclosing damaging information about various institutions or officials. Beyond the specifics of the law, implementation has also proved difficult and incomplete. In a joint contribution to the 2013 Working Group of the Universal Periodic Review on Nigeria, various NGOs approved the initiative, but expressed dismay in the misuse of the Official Secrets Act by government officials to unfairly block legitimate requests for information.

In 2011, a Whistle-blower Protection Bill was brought before the Nigerian Senate. The bill received limited support upon its introduction and lacks the political will necessary for its successful adoption. The act seeks to provide standards for the disclosure of information pertinent to the greater public good; to establish protections for whistle-blowers; and to create a fund for those reporting misconduct. Potential whistle-blowers are referred to as “patriots” throughout the text; furthering the notion that whistleblowing is primarily for the public good.

Rational Choice Theory

The “rational choice theory” is a micro sociological theory, that gains its standing from the early work of Marx Webber “social action theory” which believes that individual possesses and derives a subjective meaning of an action in everyday lives presentation. According to Coleman (1990), rational choice theory tackles issues relating to the sociological imagination of individual action

and collective behaviour. This follows the tradition laid out by classical criminologists like Cesare Beccaria and Jeremy Bentham. While the perspective begins from minimalist assumptions, its scope is very broad to provide a unified, all-encompassing social theory.

The major assumption of the rational choice theory is that individuals are motivated by their personal wants and goals and are driven by personal desires. Since it is not possible for individuals to attain all of the various things that they want, they must make choices related to both goals and means for attaining those goals. Individuals must anticipate the outcomes of alternative course of action that is likely to give them the greatest satisfaction.

Another key element in rational choice theory is the belief that all action is fundamentally rational “in character. This distinguishes it from other forms of theory because it denies the existence of any kind of action other than the purely rational and calculative. It argues that all social action can be seen as rationally motivated, however much it may appear to be irrational. Relating the assumptions of the rational choice theory to the topic at hand, there is seemingly a rational basis for the pervasive and endemic nature of corruption in Nigeria. Behaviour is irrational only if a decision agent persists in expressing it even when its costs far out weight its benefits; if it cannot be predicted or anticipated by any known rules, if no phenomenological or normative models can describe it; and if no priori estimations are possible for capturing the conditions under which it would emerge. If these conditions for irrationality are applied to corruption in Nigeria, it turns out that behavioural models support the idea that corrupt behaviour in Nigeria is perfectly and indubitably rational (Sahara Reporters, February 27,2012).

The cost of corruption derives exclusively from administrative, disciplinary or legal prosecutorial action taken against the offender. For an offender to pay a price for engaging in corrupt practices, four things must happen;

- i. The offender must be reported or discovered
- ii. An authority must acknowledge that a offence had been committed
- iii. The offender must be prosecuted and
- iv. A conviction must be secured against the offender (Sahara Reporters February 27, 2012).

Looking at the conditions listed above; there is no doubt that their average performance in Nigeria is appalling with regards to institutions charge with fighting corruption. We live in a society where a neighbour’s sudden and dramatically changed lifestyle is never questioned. People have become rich overnight but nobody questions the source of such wealth. Even in our public sector, the culture of whistle blowing is nearly absent and even when present is defective.

Individuals, groups and corporate organizations have at different times been dragged to courts for corruption, but only a few ends up convicted as the majority go scot free. As at 2008, the EFCC had prosecuted Three Hundred (300) cases from Five Thousand Four Hundred (5,400) petitions,

while the ICPC had prosecuted only Forty Nine (49) from One Thousand Eight Hundred and Forty Six (1,846) cases (Sahara Reporters, February 27,2012).

High profile cases of corruption involving the former speakers of the House of Representative Dimeji Bankole, Police pension scheme fraud, petrol subsidy fraud etc all ended without convictions. Even the cases that had convictions, like that of former Inspector General of Police, Tafa Balogun in 2005 and Chief Bode George in 2009 got relatively mild convictions (Vanguard, October 14, 2010; Nigeria Exchange News, 26 October, 2009). With regards to these above cited cases of defective institutional failures with regards to adjudication of judicial process and provision of justice, most individuals thus adopts the belief that crime pays and when you get caught you can easily sway your way out because of weak judicial institutions.

Okologo (2012), added that corruption has become acceptable way of doing business for those in public offices. The government is powerless in its fight against corruption because those appointed to either investigate or prosecute are corrupt or loyal to their corrupt godfather.

The implication of the issues raised above is clear. However, the self-interest of people and the proven rational basis for much of human behaviour can actually be used as tools to be applied for cracking down on corruption. Rational choice theory suggests that if corruption is to be tackled effectively public policy must focus on four major issues;

- i. Increasing the likelihood of getting caught i.e. probability of discovery
- ii. Increasing the probability of prosecution
- iii. Enhancing the probability of conviction
- iv. Raising the consequences of corruption
- v. Building stronger institutions that are independent and uninfluenced. Institutions with directors and heads aren't appointed but elected. (Abur, Zumve, and Viashima, 2015).

Cases of whistle-blowers reported by the Media Against Corruption in Nigeria

1. Over \$9.8 million in cash and other currencies were recovered in a Kaduna slum residence in Sabon Tasha traced to former Group Managing Director of Nigerian National Petroleum Corporation, Mr. Andrew Yakubu in 2017. In the same vein \$43 million and #23.2 million was discovered in a residence in Ikoyi, Lagos.
2. When asked in a 2014 interview with The Global Conversation if his country protected whistle-blowers, President Goodluck Jonathan claimed, "Nigeria has the freest press" and that "no whistle-blower has been arrested" or indicted. The Nigerian government affirmed its belief that "the press in Nigeria is free." Additionally, the state is said to supply judicial means for redress if a person feels his rights have been infringed upon.

3. In February of 2014, Central Bank Governor Lamido Sanusi, an internationally renowned banker and advocate for reforms with Nigerian institutions, was suspended and replaced by then President Goodluck Jonathan after publicly claiming upwards of \$20 billion in state oil profits could not be accounted for. According to Quartz, Sanusi challenged the legality of his suspension and called for an internal audit to account for the reportedly lost revenue. Dissatisfaction with Jonathan's action prompted op-eds and opinion pieces in places such as Premium Times, some calling for new Whistle-blower Protection Laws.
4. In April 2013, four journalists employed by the Nigerian Newspaper, Leadership were detained for questioning after failing to disclose a source who allegedly supplied the outlet access to a leaked document sensitive to President Goodluck Jonathan. The journalists were released a day later but were ordered to report daily to police headquarters for some length of time. Two of the detained reporters were charged with “11 criminal counts, including forgery, conspiracy to commit a felony, and incitement of public disaffection against the president.”
5. Premium Times in October 2013 reported that the Nigerian Civil Aviation Authority was actively pressuring officials who blew the whistle on the Minister of Aviation after her inappropriate use of NCAA funds to buy herself two armored vehicles.
6. In October 2006, the board of Cadbury Nigeria PLC notified the world, which includes its stockholders and regulatory bodies of the discovery of “Overstatements” in her accounts. In relation to the scandal, Mr. Bunmi Oni, the managing director and Mr. Ayo Akadiri, the finance director, were relieved of their employment following suit, the council of Nigeria Stock Exchange barred the duo from running any public quoted company for life.

Whistleblowing and Anti-Corruption Crusade

Corruption has remained a major challenge to development in most developing countries. An analysis of the Corruption Perception Index (CPI), a measure of perceived level of public sector corruption in countries and territories around the world (TI, 2012), indicates that Nigeria, for example, consistently occupied appalling positions in the list of most corrupt countries in the world between 2001 and 2012 (TI, 2013). One cannot but question the effectiveness, efficiency, and relevance of the Nigeria anti-corruption agencies such as Economic and Financial Crime Commission (EFCC), Independent Corrupt Practices Commission (ICPC), and Code of Conduct Bureau (CCB), if one analyses the country's ranking on the CPI and the number of corruption cases effectively prosecuted by the anticorruption agencies. These agencies focus more on the legal framework to fighting corruption; believing that when corrupt individuals are prosecuted and convicted, it would deter others from engaging in corruption.

The inability of the legal framework to effectively reduce corruption in Nigeria may be associated with the low number of corruption cases successfully prosecuted. For example, between May 2001 and July 2005, ICPC filed 49 cases involving 104 individuals but was able to conclude just one (ICPC, 2005). Two quick questions come to mind. One, does this imply that only 104 individuals were corrupt in Nigeria? Two, is it an indication that only one Nigerian was guilty of corruption

in the period under investigation? The legal framework to fighting corruption is evidence based and the questions underscore the challenges associated with the framework. Suspected cases of corruption must be reported by the citizens, investigated by the appropriate government agencies, and prosecuted by courts of competent jurisdiction. Therefore, the effectiveness of the legal framework may be predicated on the quality of the employees' reports of corrupt practices. Most studies on corruption in Nigeria focused political solutions (Egwemi, 2011; Enweremadu, 2012), financial accountability (Ezeani, 2012), and politico-economic solutions e.g. privatization and liberalization (Adeyemo, 2005).

However, Odeh (2011) reported that privatization was another source of corruption in Nigeria. Whistleblowing, an act of disclosure by members of an organization of illegal and immoral acts perpetrated by the organization and organization members to persons or organizations that may bring about a change (Rehg, Miceli, Near & Van Scotter, 2008, pg. 45), is increasingly being recognized as an important tool in the prevention and detection of corruption and other immoral malpractices (TI, 2010). Oakley and White (2006) submitted that anticorruption campaigns may not be successful without effective whistleblowing. The importance of whistleblowing in the drive for a corruption-free society is underscored by the fact that the institutional mechanisms put in place to check corruption may not be effective without whistleblowing, especially from insiders who identify and draw attention to corrupt acts that other mechanisms may fail to pick up (Oakley & White, 2006).

However, lack of support from others may render institutional mechanisms against corruption ineffective and hinder whistleblowing (Rehg et al., 2008,). Whistleblowing is not without consequences. It has adverse effects on the public confidence in the organizations concerned, the profession of the corrupt person (Oakley & White, 2006), and the whistle-blowers (Cortina & Magley, 2003). Ogunbamila (2014) reported that whistleblowing was strongly connected with retaliation from culprits, which culminated in strained relationships between whistle-blowers and supervisors. Whistleblowing may also have adverse effects on the whistle-blowers' access to work-related benefits (Rehg et al., 2008). Studies have demonstrated that, apart from perceived helplessness, fear of victimization and other risks associated with whistleblowing can discourage employees from engaging in whistleblowing or reduce whistle-blowers' willingness to disclose subsequent corrupt acts (Chassang & Miquel, 2012; Near, Regh, Van Scotter & Miceli, 2004).

Current study found that when employees felt that nobody was directly affected by corruption, they were less likely to whistle blow corruption. The reason may be that the employees did not feel directly affected by the corrupt acts and therefore did not feel obliged to blow the whistle (Rehg et al., 2008). Perceived government insensitivity to the plights of the citizens was not a strong factor in whistleblowing. The number of employees who blew the whistle approximated those who did not blow the whistle because of perceived government insensitivity to the plight of the citizens. That is, whether the government was sensitive to the plights of the citizens or not employees would blow the whistle. This might be because the respondents saw no link between corruption and government insensitivity to the plights of the citizens. Similarly, perceived lack of

integrity in the anticorruption crusades and trust in the anti-corruption agencies were weak factors in whistleblowing among employees. This may be because whistle-blowers felt they could blow the whistle (e.g. through social media) irrespective of the activities of the anti-corruption agencies.

Whistle blowing is as helpful to the society as it is risky for the whistle-blower. Although, whistle blowing could prevent a great disaster or harm befalling on the general public or large number of innocent people. Yet it is indisputable that the whistle blower is at a great risk and therefore needs some sort of legal protection while due process in prosecution is highly recommended. There is the fear of the effect and impact of what the whistle blower is going to reveal and the dangers to his life and livelihood, to his family, reputation and profession. On the other hand, if he decides to keep silent, his silence may cause great disaster to the public and if he blows the whistle he could face discipline or dismissal from his work because he is seen as a threat by colleagues and his employer. He could be called names, labelled negatively or seen as a trouble maker. There is the fear that he might be prosecuted or get an action for defamation or that the report may be interpreted as an attack on an individual or body. This is more common with internal whistle blowing. Despite the risk surrounding whistle blowing there has been a growing support for whistle blowing internationally particularly in the areas of good governance, public accountability and fight against corruption (Onuegbulam, 2017).

In Nigerian two bills on whistle blowing and protection of whistle blowers have been waiting to be passed into law. In the midst of the long waiting, on 21st December 2016 the Federal government put in place a whistle blowing policy to encourage people to expose fraud in the public and private sectors. The whistle-blower stands to collect between 2.5 and 5% of the monies recovered. As at March 2017 the Federal Government is still urging the National Assembly to pass the bill as at 19 May, 2017 the bill has not been passed into law.

It is indisputable that corruption cannot be fought, unless it is detected, reported and punished or addressed. Yet the fight against corruption just like any other crime has to be in accordance with due process of law. Obviously one major challenge that faces Nigeria in her fight against corruption is the detection and prosecution of corruption irrespective of who is involved. This is precisely why whistle-blowing is one of the most direct ways of detecting corruption. The fact that these corrupt practices revealed by whistle blowers are almost connected to top political officers who have the capacity of obstructing investigation affects the free flow of the criminal justice process.

It is said that political office holder has an aura of invincibility around them. Where the offender is a top political officer the risk to the whistle blower can be considerable. Unfortunately, these offences are bail able offences. One of the fears of a whistle blower is victimization. As long as the accused/suspect remains free, the whistle blower(s) will remain in fear of being victimized. Thus there is need to protect the whistle blower and to make the offender sign an undertaking about the safety of the whistle blower who revealed his crim. There is also need to reform both the political and justice system to ensure that no one is above the law. When a member of the high

powered interest group is affected in the whistle blowing, information can turn blurred and obscure thereby obstructing the criminal justice process.

Hindrances to whistleblowing practice in Nigeria

Notwithstanding the desirability and benefits of whistleblowing, we provide below some of the hindrances and suggestions for organisations:

- i. **Fear of retaliation** While the highly-ethical employees may perceive whistleblowing as the right course of action in the interest of others, quite a number of others see it as an act of betrayal, snitch, or “dissent that challenges an organization’s authority structure and creates animosities” (Near, & Miceli, 2014). Consequently, whistle-blowers face a significant risk of retaliation, even when their disclosure benefits the organization. External whistle-blowers appear to experience more retaliation than internal ones (Mesmer-Magnus & Viswervaran, 2005). Retaliation takes several forms, including harassment, isolation of employee, changed responsibilities, poor performance evaluation and termination (Dasgupta, & Kesharwani, 2010). Studies therefore show that employees who fear a threat of retaliation are less likely to report a wrongdoing (Taiwo, 2015), and this may also affect others’ willingness to blow the whistle in the future (Liyanarachchi, & Newdick, 2009). In Nigeria, the lack of statutes on whistleblowing plus the weak institutions (legal and political) constitute a huge hindrance for potential whistle-blowers. Considering research findings that corroborate retaliation on whistle-blowers, an average employee is likely to consider self-preservation first before other considerations. Legislation, and organisation policies providing assurance and support for whistle-blowers will therefore help in promoting whistleblowing culture.
- ii. **Social stigma – Snitch, “amebo” “tatafo”** are some of the terms reserved for whistle-blowers, hence most employees would rather avoid the negative tag. Employers need to educate staff on the cost of keeping quiet, as an unreported singular case may turn out to be a monster in the near future threatening the existence/sustainability of the organisation.
- iii. **Cost of reporting –** The cost of reporting includes the potential for a lawsuit by the wrongdoer, the distraction or nuisance value of providing evidence, and time for interview/questioning. Organisations should have personnel policies pronouncing stiff sanctions for employees who keep silent in the face of a serious wrongdoing, and reward for whistle-blowers (e.g. reimbursement of whistleblowing cost, legal services). Providing valued employer rewards for internal whistle-blowing would increase its frequency. More importantly, organisations should consider implementing performance review systems that specifically assess employee reporting of questionable activity through appropriate channels and reward systems that provide incentives for valid whistleblowing.

- iv. Fear of job loss – This may result from the supervisor not approving the whistleblowing plan of the junior staff, or the high unemployment rate-induced fear. Organisations should have policies allowing employees to by-pass their supervisors in order to report wrongdoing. Employees' jobs should also be guaranteed against threats for reporting wrongdoing.
- v. Absence of company policies and procedures – Employees may not know what to do, or what processes to follow in reporting wrongdoing. This is more so in organisations without whistleblowing policies and procedures. Organisations should therefore have documented policies and procedures.
- vi. Lack of education – This may manifest in the form of not knowing what to report. It could also be related to lack of knowledge on how to gather quality evidence to support the reporting. Employers should provide training to all workers to ensure that they are familiar with the organisation's whistleblowing arrangements, and additional training to individuals whom they appoint as recipients and investigators of concerns.
- vii. Absence of support – This may come from management, co-workers, or significant others. The organisation needs to show support to the whistle-blower and reward successfully established cases.

Conclusion

Whistleblowing has proved to be a useful tool in exposing wrongdoing in other countries, yet the cultural factors, weak institutions, and other external environmental factors have limited the whistleblowing practice in Nigerian. This study concludes that:

1. The individual plays a critical role in preventing and, or exposing unethical practices.
2. A culture of keeping silent risks the sustainability of the organisation.
3. Influencing behavioural change towards whistleblowing requires strengthening the system factors – moral sensitivity, job characteristics, leadership, culture and climate, and support structures.
4. Employee's attitude can be positively influenced when benefits of whistleblowing become apparent.
5. Policy makers have a critical role in enacting supporting statutes and strengthening the judiciary towards promoting whistleblowing, while at the same time adopting appropriate measures to address the hindrances to whistleblowing practice.

Recommendations

The following recommendations were draw that

1. Whistleblowing could be a viable option to fighting corruption if effectively managed. It could enhance a country's Corruption Perception Index (CPI) score; indirectly enhance her dignity and foreign investment drive. In order to encourage whistleblowing among employees, the social and psychological barriers to whistleblowing should be removed.

2. Whistleblowing on wrongdoings in organisations is critical in preventing scandals, crises, corporate frauds. To develop a roadmap for whistleblowing culture in Nigerian, an advocacy campaign is a first step in creating awareness and sensitising employees to the benefits of whistleblowing.
3. Employers need to educate staff on the cost of keeping quiet, as a threat to the sustainability of the organisation; develop personnel policies pronouncing stiff sanctions for employees who keep silent in the face of a serious wrongdoing, and reward for whistle-blowers; implement performance review systems that specifically assess employee reporting of questionable activity through appropriate channels; and provide training to all workers on whistleblowing arrangements, and investigations of concerns.
4. Organisations should implement the whistleblowing policy by first designating a few employees as whistleblowing champions, using the diffusion of incentive and rewards.
5. Government executives and policy makers need to drive a positive attitude towards whistleblowing by introducing legislations, as well as providing societal and organisational support structures for whistleblowing (such as a functional legal system, responsive regulatory bodies, and national code of conducts).
6. Other supports include the role of the mass media, training on documentation of evidence, and a reward system for whistle-blowers. By promoting a whistleblowing culture in the society at large, whistleblowing can improve Nigeria's Corruption Perception Index, with multiplier effect on other indices such as Human Development Index, Doing Business Report, and Global Competitiveness Index among others. Improvement in these indices has huge potentials to open up investment opportunities (be it Foreign Direct Investment or Foreign Portfolio Investment).

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