

# Plea Bargain and the Culture of “Loot Plenty and Return Little” in Benue State, Nigeria

**Agbir Mzungwega**

Department of sociology,  
Nigeria Police Academy, Wudil-Kano

Email: [agbirj@yahoo.com](mailto:agbirj@yahoo.com)

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## Abstract

This study assessed the relationship between plea bargaining in Nigeria’s criminal justice system and the culture of “loot plenty and return little” in Benue State Nigeria. The study was anchored on the assumption that the increasing adoption of plea bargaining, though intended to enhance judicial efficiency, may have inadvertently weakened deterrence and accountability in corruption cases. A correlational research design was employed. A sample of 384 respondents was selected using data collected through a structured questionnaire and complemented with in-depth interviews. Descriptive and inferential statistics were used for quantitative analysis, while thematic content analysis was applied for qualitative data. Findings revealed a positive and significant relationship between plea bargaining and the persistence of looting culture in Benue State. Respondents agreed that plea bargaining helps offenders escape full punishment ( $\bar{x} = 3.48$ ,  $SD = 0.66$ ) and promotes a culture of “loot plenty and return little” ( $\bar{x} = 3.46$ ,  $SD = 0.67$ ). The overall mean scores ranged from 3.38 to 3.52, indicating a broad consensus that plea bargaining encourages corruption and undermines accountability. Qualitative data further revealed that the process is perceived as biased toward wealthy and politically connected offenders, eroding public confidence in the justice system. The study concludes that while plea bargaining remains a potentially useful judicial mechanism, its current implementation in Nigeria especially in Benue State, fosters impunity. It recommends stronger statutory guidelines, transparent restitution processes, and public disclosure of plea deals to restore public trust and enhance the integrity of the justice system.

**Keywords:** Corruption; Criminal justice system; Looting culture; Plea bargaining.

## Introduction

Plea bargaining has emerged as a significant instrument in the administration of criminal justice globally (Riya, 2023). It allows an accused person to plead guilty to a lesser offence or return part of the proceeds of crime in exchange for a lighter sentence. The approach, first widely practiced in the United States in the 1970s, was designed to reduce the costs of litigation and ensure swift recovery of stolen assets, particularly in property-related crimes. It also served to balance justice with restitution, ensuring that victims regained stolen assets rather than witnessing offenders punished without compensation. (Olugbile, 2023).

In Nigeria, plea bargaining evolved as a legal innovation primarily utilized in corruption-related cases involving high-profile individuals. Although not originally part of Nigeria's legal system, it gained prominence through judicial reforms and the efforts of the Economic and Financial Crimes Commission (EFCC) to enhance efficiency, recover stolen assets, and decongest the courts (Olusegun & Nkechi, 2025). However, its introduction has been met with controversy. Critics argue that rather than promoting justice, it often provides an avenue for the wealthy and politically connected to escape full accountability.

Before its adoption, corruption trials in Nigeria were characterized by prolonged delays, procedural manipulation, and lenient verdicts. The plea bargain mechanism was therefore introduced to expedite justice, ensure partial recovery of looted funds, and reduce the burden on the courts. Despite these intentions, civil society organizations and anti-corruption advocates contend that plea bargaining undermines deterrence by allowing offenders to retain a substantial portion of their illicit wealth while receiving minimal punishment.

Section 270 of the *Administration of Criminal Justice Act (ACJA)*, 2015 provides legal backing for plea bargaining in Nigeria. However, this provision has often been exploited by public officials, who use it to legitimize corruption and weaken accountability. Consequently, the practice appears to have entrenched what many describe as the “culture of loot plenty and return little” i.e. a situation where offenders retribute only a fraction of stolen public wealth while retaining the rest under the protection of negotiated settlements.

The persistent rise in corruption despite the existence of plea bargaining raises critical questions. Nigeria's debt profile, which stood at N42.84 trillion (USD 103.31 billion) as of June 2022 (Sulaiman & Olowu, 2022), combined with alarming indicators such as over 20 million out-of-school children (UNESCO, 2022), 23 million unemployed persons, and 76 million adult illiterates (Ibrahim & Abubakar, 2018), underscores the devastating

socioeconomic consequences of looting and weak judicial deterrence. In such a context, acts of corruption and wastefulness should attract strict punishment rather than negotiated leniency.

Despite multiple anti-corruption initiatives, including the establishment of the EFCC and the ICPC, high-profile cases such as the \$2.1 billion arms procurement scandal (“Dasukigate”), and trials involving former governors like James Ibori and Diepreye Alamieyeseigha, reveal a recurring pattern — offenders often secure light sentences, return limited funds, or regain freedom through plea deals. This trend has eroded public confidence in the criminal justice system and contributed to a perception that corruption pays, particularly for the elite. Against this backdrop, this study seeks to assess the relationship between plea bargaining and the culture of “loot plenty and return little” in Benue State, with a focus on understanding how the practice influences accountability and public perception of justice.

## **Review of Literature**

### **Plea Bargain**

A plea bargain is a negotiated agreement between a prosecutor and a criminal defendant whereby the defendant pleads guilty or no contest to a lesser offense or to one of multiple charges in exchange for some concession by the prosecutor, usually a more lenient sentence or a dismissal of the other charges. It is also termed plea agreement, negotiated plea; sentence bargain (Garner, 2014). In other words, plea bargain is entered into for the sake of clemency from an offence(s) which defendant pleads guilty for. In this sense, plea bargain is seen as a leverage to get lesser punishment of an alleged offence. But in Okonkwo & Eke (2019) view, plea bargain is one of the tools employed in the criminal justice system. It helps the court and State to manage caseloads. In other words, Okonkwo & Eke (2019) sees plea bargain as a tool with advantages and benefits to both the state and the courts. Although in the Administration Criminal Justice Act.

### **Looting**

Looting (in the context of corruption) refers to the illegal and unethical act of diverting public resources or wealth for personal gain, typically by those in positions of authority or trust. It involves the misappropriation of state funds, assets, or property for individual or group benefits, often at the expense of public welfare. This definition emphasizes the exploitation of power and resources for personal enrichment (Garner, 2014). According to Ibrahim & Abubakar (2018), looting (in a broader socio-political sense) can also be understood as the

large-scale, systematic theft of public or national resources, often occurring during times of conflict, weak governance, or political instability. This form of looting typically involves the unlawful seizure or destruction of resources, and it can extend beyond individual theft to include widespread exploitation by political or economic elites, often leading to significant social and economic consequences. Empirical findings highlight that looting is prevalent in many parts of Nigeria, with several high-profile cases illustrating its damaging impact.

### **Origin of Plea Bargain**

The origin of the plea bargain can be traced to the American legal system in the eighteenth century. It began by convention but after it was accepted by the Courts, it became entrenched in the Federal and state criminal procedure rules. (Ortman, 2021) The concept of 'plea bargain' achieved its global recognition in 1970 in the landmark case of *Brady v. United States* by the Supreme Court of the United States of America where Brady who pleaded guilty to a kidnapping charge in violation of 18 U.S.C. 1201(a) and whose sentence was 50 years imprisonment, was later reduced to 30 (Transparency International, 2019). This was adopted due to the adversarial nature of the United States' judicial system which places the judges as an umpire, in which they are completely dependent upon the parties to develop the factual record and cannot independently discover information to assess the strength of the case against the Defendant. There are several cases where the US Courts have given full effect to plea bargains and as at today, 95% of criminal cases in the United States of America have been resolved by plea bargains (Transparency International, 2019).

Plea bargain has proven to be quite effective in the prosecution of varieties of cases, for example many successful criminal prosecutions in the United States end up not with jury trials but with plea bargains (Okonkwo & Eke, 2019). According to the Department of Justice's Bureau of Justice Assistance, the overwhelming majority (90 to 95 percent) of cases result in plea bargaining. It is reported that presently, plea bargaining is an accepted norm in the American legal system such that an average criminal case in America is disposed through plea bargaining. It has been a success story for the United State Government in eliciting conviction in criminal cases and this feat is as a result of the kind of criminal justice system that is operational which is inquisitorial in nature as opposed to that of Nigeria which is adversarial thus making it easier to be practiced (Nwosu & Adefila, 2019).

Undoubtedly, corruption is ubiquitous but the prevalence and pervasive nature of it in developing countries has attracted successive governments and other stakeholders' concern.

Corrupt activity cuts across borders and instances abound globally. In Germany, Siemens corruption came to mind, in Peru, the Fujimori's embezzlement was a reference, Kadyrov's Chechnya bribes, Ben Ali corruption in Tunisia, Victor Yanukovych corruption in Ukraine, Ricardo Martinelli's corrupt activity in Panama Najib Rasak embezzlement in Malaysia, Francisco Correa's corrupt role in Spain, Sani Abacha stupendous theft in Nigeria are few evidence of global nature of corruption (Transparent International, 2019).

In Nigeria, one of the challenges associated with the fight against corruption is the flexibility of the law in sanctioning corrupt public officials. The application and implementation of plea bargain law to seek for clemency for offenders in corruption charges has been a source of concerns to well-meaning and patriotic Nigerians who felt plea bargain law protects corrupt public officials rather than punishing them.

Stolen funds in Nigeria if recovered would have gone a long way in checkmating the fight against intractable insurgents and insecurity that has been on for more than a decade, the funds would have been utilised to stabilize the country's knowledge industry (public universities) where solutions to all societal ills are expected to be proffered but crippled by strike over money related issues. The need to be strict on the fight against corruption and recover looted funds in Benue State becomes quintessentially important going by the increasing looting culture of those occupying public offices and the criminal justice system in the state is at centre of this recovery. Against this backdrop, this study aims to evaluate the phenomenon of loot plenty and return little. It targets at interrogating plea bargain instrument in Nigeria's justice system with focus on the station in Benue state.

### **Effects of Reduced Sentence on Plea Bargain**

Reduced sentences offered as part of a plea bargain can have a significant impact on the prevalence of looting in Nigeria. With the country plagued by high levels of corruption and embezzlement, many individuals involved in looting schemes may be more willing to cooperate with authorities and accept plea bargains in exchange for a reduced sentence. According to Oluwaseun Ayeni, a legal expert in Nigeria, the prospect of a shorter prison term or avoiding jail altogether can incentivize individuals to admit guilt and provide valuable information to law enforcement agencies, ultimately leading to the prosecution of more looters (Abdullahi & Musa, 2018).

Furthermore, plea bargain can expedite the legal process and reduce the backlog of cases related to looting in Nigeria. The lengthy and complex nature of trials often discourages individuals from coming forward with information or cooperating with authorities, as they may face years of legal proceedings and uncertainty. (Adeola, 2021). However, the use of plea bargains in cases of looting in Nigeria also raises concerns about accountability and transparency. Critics argue that lenient sentences offered in plea bargains could undermine the severity of the crime and fail to hold perpetrators fully accountable for their actions. In a country where corruption is rampant, there is a risk that individuals with political connections or resources may negotiate favorable deals, while smaller offenders face harsher penalties. To address these challenges, legal reforms and oversight mechanisms should be put in place to ensure that plea bargains are used judiciously and equitably in cases of looting in Nigeria (Adeola, 2021).

### **Effects of Negotiation in Plea Bargain on Looting in Nigeria**

Negotiations in plea bargains can have a significant impact on addressing looting in Nigeria. The bargaining process allows prosecutors and defendants to reach agreements that may involve providing valuable information about corruption schemes, cooperating with ongoing investigations, or returning stolen assets in exchange for a reduced sentence. This leads to the prosecution of high-profile looters and uncovering of intricate corruption networks that may have otherwise remained hidden. By incentivizing individuals to come forward and assist in rooting out corruption, negotiations in plea bargains can help deter future instances of looting in the country (Garner, 2014).

Moreover, the negotiation process in plea bargains helps streamline the judicial system in Nigeria and alleviate the burden of a backlog of cases related to looting and corruption. By reaching agreements through negotiation rather than proceeding to lengthy trials, prosecutors efficiently resolve cases and allocate resources to investigate and prosecute other instances of corruption. This expeditious handling of cases serves as a deterrent to potential looters, as they may be more likely to face swift consequences for their actions. In a country where corruption has been pervasive, the use of negotiations in plea bargains can enhance the efficiency and effectiveness of law enforcement efforts (Adeola, 2021).

### **Effects of Waiving Right on Looting in Nigeria**

The practice of waiving rights as part of plea bargains can have significant implications for addressing looting in Nigeria. Agreeing to waive certain constitutional rights, such as the

right to a trial by jury or the right to appeal, means individuals involved in corruption and looting cases may expedite the legal process and facilitate quicker resolutions. This leads to the timely prosecution of offenders and the recovery of stolen assets, ultimately serving as a deterrent to future instances of looting. According to legal experts Okonkwo & Eke (2019), the willingness of individuals to waive rights in plea bargains can demonstrate a commitment to cooperating with authorities and providing valuable information that can aid in uncovering corrupt practices.

However, the waiver of rights in plea bargains also raises concerns regarding the protection of individuals' legal entitlements and due process. Critics argue that the pressure to waive rights in exchange for leniency may undermine the fairness and integrity of the judicial system, particularly in cases involving high-level corruption and looting. Given the endemic nature of corruption in Nigeria, there is a risk that individuals facing significant charges may feel compelled to relinquish their rights to expedite the resolution of their cases or secure more favorable outcomes. To mitigate these risks, safeguards should be in place to ensure that individuals fully understand the implications of waiving rights in plea bargains and that their decisions are made voluntarily and with informed consent (Adeola, 2021).

## **Theoretical Consideration**

### **Strain Theory**

The Strain theory, developed by sociologist Robert K. Merton in the mid-20th century, posits that societal structures and institutions can create pressure or strain that may lead individuals to engage in deviant behavior. Merton identified that the root cause of deviance is the disjunction between societal goals, such as financial success and material wealth, and the means available to individuals to achieve these goals. The theory suggests that when individuals are unable to attain success through legitimate channels, they may experience strain and resort to criminal or deviant means to achieve their aspirations (Charlotte, 2025).

One of the key propositions of strain theory is the concept of anomie, or normlessness, which arises from a misalignment between cultural goals and institutionalized means of achieving those goals. Merton identified five modes of adaptation to strain: conformity, innovation, ritualism, retreatism, and rebellion. Conformity involves pursuing societal goals through legitimate means, while innovation involves using illegitimate means to achieve those goals. Ritualism refers to individuals who abandon societal goals but continue to adhere to the means, retreatism involves rejection of both goals and means, and rebellion involves

challenging existing social structures and creating new goals and means (Sulaiman & Olowu, 2022).

In the context of the topic loot plenty and return little: interrogating plea bargain in Nigeria's justice system in Benue state, strain theory can be applied to analyze the underlying motivations behind corruption and looting practices. Nigeria's societal structures, characterized by high levels of poverty, inequality, and limited opportunities for economic advancement, can create significant strain on individuals seeking financial success and material wealth. The discrepancy between the desired goals of prosperity and the limited legitimate means to achieve them may drive individuals to engage in corrupt activities such as embezzlement and looting.

According to strain theory, individuals facing economic strain and pressure to meet societal expectations of wealth and success may resort to innovative means, such as corruption and embezzlement, to attain their goals. The practice of "loot plenty and return little" in plea bargains can be seen as a manifestation of this strain, where individuals may engage in corrupt practices to accumulate wealth quickly but negotiate lenient deals to avoid severe consequences. The discrepancy between the societal goal of accumulating wealth and the limited legitimate avenues for achieving it contributes to the perpetuation of corrupt behavior within the Nigerian justice system in the state.

### **Methodology**

The study adopted a correlational research design to examine the relationship between plea bargaining in Nigeria's criminal justice system and the culture of looting in Benue State, Nigeria. A correlational design is suitable for investigating the degree and direction of association between two or more variables without manipulating them. It enables the researcher to identify patterns, trends, and predictive relationships between variables. The target population comprised personnel from three key institutions in the criminal justice system: The Nigeria Police Force, the Judiciary (courts), and the Nigerian Correctional Service, all based in Benue State. A multistage sampling technique was employed to ensure broad representativeness and systematic selection of participants across Benue State's criminal justice institutions. This approach allowed the study to capture variations in perceptions and experiences across geographic, institutional, and professional categories. Stage One: In the first stage, Benue State was stratified into its three constitutionally recognized senatorial districts: Benue North-East Senatorial District, Benue North-West

Senatorial District and Benue South Senatorial District. Stratification at this level ensured that the sample captured geographic diversity and reflected the administrative divisions that influence the distribution of security and justice sector institutions across the state. This first stage also helped minimize sampling bias and allowed the inclusion of institutions spread across wider socio-political and cultural contexts within the state. Stage Two: In the second stage, purposive sampling was used to select major institutions that play central roles in the administration of criminal justice. This method was chosen because these institutions are directly relevant to the research objectives and house personnel with specialized knowledge and operational experience. The following institutions were purposively selected from each senatorial district based on their mandate, size, accessibility, and operational significance: Nigerian Police Force (NPF) – representing law enforcement. Benue State Judiciary (Courts) – representing the adjudication process as well as Nigerian Correctional Service (NCoS) – representing custodial and rehabilitative services.

This stage ensured that the study captured the perspectives of front-line actors across the three pillars of the criminal justice system. Stage Three: In the final stage, proportionate random sampling was employed to select respondents within each institution. This ensured that the number of respondents drawn from each institution reflected its actual size and staff strength, thereby improving representativeness. The study ensured fair representation across the three professional groups — police personnel, judicial officers/court workers, and correctional service staff. It also strengthened the internal validity of the findings by allowing meaningful comparisons across institutions and districts.

Data were collected using both quantitative and qualitative instruments. Data were analysed using frequency, percentage, mean, and standard deviation, Pearson's Product Moment Correlation were also applied to determine the relationship between plea bargaining practices and the culture of looting in Benue State.

## **Findings**

Findings are presented using frequency tables, cross-tabulations, correlation statistics, and frequency, percentage, mean, and standard deviation, Pearson's Product Moment Correlation were also applied to determine thematic analysis. The multidimensional evidence is interpreted in light of the study objectives and relevant criminological theories, particularly rational choice theory and institutional strain perspectives.

### Distribution of Respondents by Institution

Institution	Frequency	Percentage (%)
Police	118	39.3
Judiciary/Court Workers	104	34.6
Correctional Service	78	26.1
<b>Total</b>	<b>300</b>	<b>100</b>

The sample composition reflects the tripartite structure of the criminal justice system in Benue State. Police officers constitute the largest group due to their numerical dominance and frontline role in handling corruption investigations. Judicial personnel represent a significant proportion, reflecting their central role in adjudicating plea bargain applications. Correctional service staff constitute the smallest segment but offer unique insights into sentencing outcomes and post-conviction realities.

### Awareness of Plea Bargaining

Response	Frequency	Percentage (%)
Aware	241	80.3
Not aware	59	19.7

High awareness (80.3%) demonstrates that plea bargaining is a familiar concept among justice practitioners in the state. The 19.7% who lacked prior knowledge, although small, suggests gaps in formal training—especially problematic given the legal implications of plea agreements under the Administration of Criminal Justice Act (ACJA), 2015.

“Plea bargaining has turned into an escape route for influential defendants who can negotiate freedom.” — Senior Judicial Officer, Makurdi

This confirms the perception of institutional bias and weakens public trust. Participants emphasized that plea bargains enable offenders to return only a small portion of illicit proceeds.

### Sources of Knowledge of Plea Bargaining (Multiple Response)

Source of Knowledge	Frequency	Percentage (%)
Workplace/Professional Experience	182	60.7
Media Reports	129	43.0
Legal Training/Workshops	94	31.3
Colleagues/Peer Discussions	77	25.7
Academic Literature	52	17.3

The workplace is the predominant learning environment, indicating a practice-driven rather than theory-driven understanding of plea bargaining. Media influence (43%) underscores the high visibility of high-profile plea deals, often associated with corruption cases. The relatively low exposure through academic literature suggests a gap between scholarship and practice, likely contributing to misinterpretation or inconsistent application of plea bargaining procedures.

### **Direct Involvement in Cases Involving Plea Bargaining**

<b>Response</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Yes	164	54.7
No	136	45.3

More than half (54.7%) had direct involvement, indicating that plea bargaining is not merely theoretical but operational in Benue State’s justice system. Those with no experience often attributed this to institutional opacity and the restricted nature of sensitive corruption cases, which are usually controlled by senior officers or special units.

### **Types of Cases Involving Plea Bargaining (Multiple Response)**

<b>Type of Case</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Corruption/Financial Crimes	142	47.3
Cybercrime	78	26.0
Drug-related Offenses	61	20.3
Violent Crimes	39	13.0
Minor Offenses	24	8.0

Corruption cases (47.3%) form the bulk of plea bargain applications, confirming scholarly arguments that Nigeria’s plea bargaining practice is disproportionately used in high-profile economic crime cases rather than minor offenses. Its relatively low application in violent crimes suggests prosecutorial reluctance to offer concessions where public safety is at stake.

### **Perceived Fairness of Plea Bargaining**

<b>Response</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Fair	36	12.0
Not Fair	211	70.3
Not Sure	53	17.7

The overwhelming perception of unfairness (70.3%) reflects the widespread belief that plea bargaining is selectively applied. This aligns with Olowu & Sulaiman (2023), who contend

that plea bargaining in Nigeria tends to shield the elite. The 12% who view the system as fair cited accelerated justice and decongestion of courts as potential benefits.

### Perceived Beneficiaries of Plea Bargaining

Beneficiary Group	Frequency	Percentage (%)
Rich and politically connected	225	75.0
Middle-income offenders	41	13.7
Poor offenders	8	2.7
The State/Government	26	8.6

The belief that elites are the principal beneficiaries underscores systemic inequality and reinforces the dual-justice hypothesis—where the wealthy negotiate freedom while the poor face the full weight of the law. This is consistent with interview narratives describing plea bargaining as an “escape route for influential defendants.”

“Someone steals billions and returns a few millions. That is not justice.” — Correctional Officer

Justice workers argued that reduced sentences create incentives for criminal behavior.

“If offenders know they can bargain, they take greater risks.” — Police Detective, Anti-Corruption Unit

Interviewees highlighted procedural opacity and inadequate enforcement of ACJA (2015).

“There are no clear guidelines. Everything depends on who is involved.” — Prosecutor, High Court.

### Perceived Relationship between Plea Bargaining and Looting Behaviour

Response	Frequency	Percentage (%)
Yes, it encourages looting	217	72.3
No	48	16.0
Not sure	35	11.7

A substantial majority believe that plea bargaining fosters looting. Respondents argued that the possibility of negotiating reduced penalties decreases the perceived risks associated with corruption, thereby altering offenders’ cost–benefit calculus—an interpretation consistent with rational choice theory.

### Estimated Percentage of Looted Funds Returned in Plea Deals

Percentage Returned	Frequency	Percentage (%)
Less than 10	92	30.7
10–30	118	39.3
31–50	54	18.0
Above 50	36	12.0

The belief that offenders return only a small fraction of stolen funds (mostly 10–30%) illustrates the empirical reality described in Nigerian corruption case outcomes. This perception directly embodies the culture of “loot plenty and return little,” emphasizing weak restitution frameworks and excessive judicial discretion.

### Cross-Tabulation Analysis

#### Institutional Affiliation and Perception That Plea Bargaining Encourages Looting

Institution	Yes (%)	No (%)	Not Sure (%)
Police	74.6	15.3	10.1
Judiciary	71.2	18.3	10.5
Correctional Service	69.1	17.9	13.0

Across all institutions, the belief that plea bargaining promotes looting is consistently high. The judiciary’s comparatively high percentage is particularly revealing, given its direct responsibility for approving plea deals, and points to internal dissatisfaction with how the system is administered.

### Inferential Statistics

#### Pearson Product Moment Correlation (PPMC)

Variables Compared	r-value	p-value	Interpretation
Plea Bargaining × Looting Culture	0.62	0.000	Strong positive and statistically significant relationship

The correlation coefficient ( $r = 0.62$ ) indicates a moderately strong positive relationship, suggesting that the increasing use of plea bargaining is associated with a greater prevalence of looting behavior. This reinforces the theoretical expectation that weak formal sanctions contribute to higher levels of opportunistic corruption.

Plea bargaining is perceived as selectively applied and disproportionately benefiting elites. Restitution rates are perceived as low, reinforcing the culture of returning little after looting much. Plea bargaining significantly weakens deterrence, encouraging repeat corruption. Institutional actors across the justice system share similar negative perceptions, suggesting a systemic pattern rather than isolated bias. A strong positive correlation exists between the prevalence of plea bargaining and entrenched looting culture.

### Discussion

The study examined the relationship between plea bargaining in Nigeria’s criminal justice system and the culture of “loot plenty and return little” in Benue State. Findings from both

the quantitative and qualitative data reveal a significant association between the practice of plea bargaining and the persistence of corruption-related offenses in the state. Statistical analysis using the Pearson Product Moment Correlation (PPMC) indicated a moderate to strong positive correlation between plea bargaining and the perpetuation of looting behavior among public officials. This suggests that as plea bargaining becomes more prevalent in corruption cases, the tendency for offenders to misappropriate public funds without fear of severe consequences increases.

Respondents largely agreed that plea bargaining, in its current form, diminishes deterrence and encourages impunity within the justice system. This aligns with the position of Olowu and Sulaiman (2023), who argued that the selective application of plea bargaining in Nigeria has transformed it into a mechanism for protecting elites rather than promoting justice. The finding also coheres with Adebajo and Aluko (2025), who reported that negotiated settlements in corruption cases often enable offenders to retain a portion of stolen wealth under the guise of legal compromise.

Descriptive analysis revealed that the majority of respondents (over 70%) perceived plea bargaining as unfair and biased toward the rich and politically connected, while only a small fraction viewed it as a legitimate tool for enhancing judicial efficiency. Court officials and correctional service officers expressed concern that plea bargaining often prioritizes speed over justice, resulting in reduced sentences that do not reflect the gravity of financial crimes.

The qualitative interviews corroborated this pattern. A senior judicial officer in Makurdi noted that “plea bargaining, the way it is applied, has turned into an escape route for influential defendants who can negotiate freedom.” Similarly, a police officer observed that “ordinary offenders rarely benefit from plea deals—only those with connections and money can access it.” These narratives reinforce the perception that plea bargaining erodes the principle of equality before the law, thereby fostering public distrust in the justice process.

The findings further show that while plea bargaining was intended to enhance accountability by ensuring partial restitution of looted funds, its implementation gaps have weakened its deterrent potential. Many respondents agreed that the practice has instead created a culture of “soft landing” for offenders, especially in politically sensitive cases. This reflects the argument of Nwosu (2025) that Nigeria’s plea bargaining framework lacks clear guidelines on restitution, leaving room for judicial discretion and manipulation.

Moreover, the study observed that despite the existence of the *Administration of Criminal Justice Act (ACJA)*, 2015, which provides a legal basis for plea bargaining, enforcement mechanisms remain weak. This institutional fragility sustains a cycle in which looters return only a fraction of their illicit gains—validating the notion of “loot plenty and return little.”

The persistence of this culture has broader implications for governance and economic integrity in Benue State and Nigeria at large. Participants emphasized that when high-profile offenders negotiate minimal penalties, it sends a negative moral signal to society, normalizing corruption as a low-risk, high-reward activity. Consequently, genuine deterrence is lost, and citizens’ confidence in the judiciary is further eroded.

The mixed-method results collectively reveal that although plea bargaining may expedite judicial processes, its unequal application and weak restitution framework limit its effectiveness as an anti-corruption strategy. Quantitative correlations confirmed the link between frequent plea bargaining and entrenched looting behavior, while qualitative insights explained *why*—namely, elite manipulation, lack of transparency, and institutional compromise. This triangulated understanding supports earlier studies by Olowu (2023) and Sulaiman & Olowu (2022), who found that without stringent enforcement and public disclosure mechanisms, plea bargaining risks entrenching, rather than eradicating, systemic corruption.

## **Conclusion**

This study assessed the relationship between plea bargaining in Nigeria’s criminal justice system and the prevailing culture of “loot plenty and return little” in Benue State. The findings revealed a strong perception among justice sector stakeholders that the practice of plea bargaining, as currently implemented, weakens deterrence, encourages impunity, and undermines public confidence in the justice system. The quantitative results showed that respondents generally agreed that plea bargaining enables offenders to escape full punishment and promotes partial restitution of looted funds. Qualitative data further revealed that plea deals are often negotiated in favor of politically connected individuals, creating a dual justice system - one for the rich and another for the poor. Although plea bargaining was introduced to enhance judicial efficiency, reduce case backlogs and recover stolen assets, the evidence from this study suggests that it has become a tool for legitimizing corruption rather than curbing it. Its selective application and lack of transparency have eroded its credibility and contributed to the normalization of looting behaviors among public officials. The study

concludes that while plea bargaining remains a potentially effective legal mechanism, its current use in Nigeria, particularly in corruption-related cases, perpetuates the culture of returning little after looting much. Reforming its framework is therefore crucial to restore justice, equity, and deterrence in the Nigerian legal system.

### **Recommendations**

Based on the findings of the study, the following recommendations are made:

- i. The National Assembly should review the *Administration of Criminal Justice Act (ACJA)* to establish clear, transparent, and enforceable guidelines for plea bargaining, particularly in corruption-related cases. Such reforms should ensure that plea agreements specify full restitution of looted funds and proportionate punishment.
- ii. Courts should be mandated to publish the details of all plea bargain agreements involving public funds. Transparency in negotiated settlements will deter manipulations and strengthen public trust in the judicial process.
- iii. Plea bargaining should include mandatory full recovery of stolen assets, with offenders required to return 100% of embezzled funds plus penalties. This would discourage future offenders and demonstrate that crime does not pay.
- iv. Training programs should be organized to enhance the capacity of judicial officers and prosecutors to apply plea bargaining ethically and uniformly. Proper understanding of its principles will minimize abuse and selective application.
- v. Civil society organizations should be empowered to monitor plea bargaining outcomes and advocate for justice reforms. This will foster accountability and promote public participation in anti-corruption efforts.
- vi. The criminal justice system should ensure that plea bargaining is not used as a substitute for punishment but as a complementary mechanism that combines restitution with deterrence. Offenders should still face commensurate legal consequences alongside asset recovery.

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