

Assessing the Efficiency and Impact of National Anti-Corruption Institutions in the Control of Corruption in Nigeria Society

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Abstract: This paper examined the activities of the Anti-corruption Institutions on the war against corruption in Nigeria. It is predicated on structural functionalism as a theoretical framework that helped to establish the structural functions of the anti-graft agency in Nigeria which has manifested in different forms and degrees, thereby affecting the overall operations and performance of governments at all level. Unless the trend is checked and reversed, it will undermine the capacity and credibility of the institutions to provide effective services to the citizenry. The paper therefore, examines the phenomenon of corruption and corrupt practices as well as the commitment of government on these agencies to fight corruption. Undue influence of the government has hindered the effectiveness and efficiency of these anti-graft crusades. This paper employed content analysis via secondary source of data. The result indicated that corrupt practices in Nigeria system is tight to institutional weaknesses and system failure as a result of government interfere in the day-to-day activities of these anti-corruption institutions. There were also indications that, even though efforts were geared towards the prosecution of corrupt individuals and agencies, enduring policies for the prevention of these negative activities remained at large. The paper concluded, among others, that autonomy of these anti-corruption crusade calls for general overhaul of the institutions and a set of harmonized policies remain critical for a successful battle against corruption in Nigeria at large.

Keywords: Corruption; Anti-Corruption Institutions; Growth; Development; Governance; War Against Corruption; And Good Governance.

I. INTRODUCTION

From the America to Africa, Europe to Asia and elsewhere across the globe, corruption is an embarrassingly ingrained societal phenomenon. In spite of its universal prevalence, corruption has proven to be particularly harmful on the African continent. As the former United Nations Secretary General, Kofi Annan, once said, "Corruption hurts the poor disproportionately by diverting funds intended for development, undermining a government's ability to provide basic infrastructural amenities, feeding inequality and injustice, and discouraging foreign investment and aid".

Corruption in Africa has led to the diversion of scarce state resources for wasteful or inefficient purposes, widespread unemployment, inequitable distribution of wealth, and the corrosion of societal morality. In a nutshell, it has subverted the common good for private gain. Also often ignored in the corruption discourse, but equally lethal in its impact, is private sector corruption, including money laundering and tax evasion.

In recent years, a significant number of African governments have introduced fairly comprehensive reform packages aimed at tackling the scourge of corruption in their respective countries. Some of these countries have gone as far as to ratify international and regional anti-corruption conventions such as the United Nations Convention against Corruption and the African Union Convention on Preventing and Combating Corruption and Related Offences. Most countries have established one form of anti-corruption institution or the other in the last decade in order to at least strengthened previously existing bodies. While some success stories have been recorded over the years, the overwhelming conclusion seems to be that the anti-corruption measures and policies of African states still trail behind the scourge of corruption.

Corruption is a cancer that has eaten deep into the fabric of the Nigerian polity. The general global perception about graft in Nigeria is that it is pervasive phenomenon. It is generally acknowledged that corruption and corrupt practices are endemic and systemic in both public and private sectors of Nigeria. Corruption has had debilitating effects on the country as it has had elsewhere. It is encountered in the routine processes of governance both in public and private sectors, and it pollutes the business environment generally. It equally undermines the integrity of government and public institutions.

Corruption and abuse of power have long been featuring in both Nigerian economic and political life. The National Planning Commission (NPC) has identified systemic corruption which endangers low level of transparency and accountability as the major source of developmental failure (NPC, 2005). Analyst attributes the prevalence of corruption in the Nigerian polity to the “*Criminal Silencer*” of political elites (Tell, 2006 as cited by Shiyabade, 2011). Thus behaviours that are openly suggestive of large-scale corruption are not condemned outright but treated with utmost cynicism. Nigeria has constantly appeared in the rating by Transparency International as one of the ten most corrupt countries in the world and TI report on corruption perception, rated Nigeria as the 143 most corrupt nation out of the 183 countries surveyed and 136 out of 174 corrupt countries in the world (TI, 2014 quoted by Shiyabade, 2016).

II. FRAMEWORK OF CORRUPTION IN NIGERIA

Corruption in Nigeria takes different forms i.e. it could be classified into “Street Level” corruption which describes corruption in public administration as shown in the day-to-day experiences of citizens in interactions with officials in the police, the judiciary, the immigration services, licensing authorities, tax offices, etc. Business corruption is common among low to medium size businesses; and high-level corruption involves government personnel, corporations, politicians, etc.

The evil that corruption portends are many. It stunts growth and development, creates political instability, destroys the socio-economic life of the nation, undermines the legitimacy of the state, makes fiscal planning almost impossible, places the wealth of the nation in the wrong hands and leads to uneven distribution of the amenities and perquisites of life (Fagbadebo, 2005).

Successive regimes have acknowledged the prevalence of corruption and the attendant negative image it carries for the country as well as the constraints it poses to development efforts (Akanbi, 2007). This acknowledgement becomes the imperative urge for regime to institutionalize an anti-corruption drive. Though some efforts have been made in the past to tackle this menace, yet it appears that the social cankerworm is still waxing strong. It would therefore appear that the former instruments of checking corruption have not been very effective hence a new set of institutional control mechanisms were put in place during Obasanjo Administrative (EFCC & ICPC). Some of the old anti-corruption crusades are stated below

- a) Investigation of Assets (Public Officers and Other Persons) Decree of 1968
- b) The Corrupt Practices Decree 1975
- c) Public Officers (Special Provisions) Decree 1984
- d) Recovery of Public Property Decree 1984
- e) National Drug Law Enforcement Agency (NDLEA) Act. 1990. This was the first law made in Nigeria to make money laundering a criminal offence.
- f) The Promulgation of the Mutual Assistance in Criminal Matters within the Common Wealth (Enactment and Enforcement) Act No 13 of 1998, designed to bring Nigeria’s municipal law in line with Harare Scheme. The scheme contains provisions on how to deal with the proceeds of crime and laundering of such money.
- g) The Public Complaint Commission Act Cap 377, Laws of the Federation 1990
- h) The Code of Conduct Bureau and Tribunal Act Cap, Laws of the Federation 1990
- i) The Criminal Code Act Cap 77, Laws of the Federation 1990
- j) The Penal Code, Northern States Federal Provisions Act Cap 345, Laws of the Federation 1990
- k) Banks and Other Financial Institution Act 1990
- l) Recovery of Public Property (Special Military Tribunal) Act Cap 389, Laws of the Federation 1990
- m) The Failed Banks (Recovery of Debts) and Financial Malpractices Act No 18 of 1994
- n) Failed Banks Act No 16 of 1996
- o) Advance Fee Fraud and Other Related Offences Act No 13 of 1995, intended to deal with the menace of the so-called “Nigeria Fraud Letters” or 419
- p) The Foreign Exchange (Miscellaneous Provisions) Act No 17 of 1995

Regardless of these plethoras of anti-corruption legislations, corruption and corrupt practices grew increasingly. This was why the international community saw Nigerian laws as grossly inadequate in dealing with these crimes. Consequently, only very few offenders have been successfully prosecuted and tried for corruption as the technicalities of the laws were exploited by defense lawyers to their great advantage. In addition, most of the agencies charged with enforcing the laws were not faithful in keeping abreast of the dynamics and charges of a modern society, especially the intrigues of corrupt people and their accomplices. Corruption and corrupt practices have a long history in all human societies. Ever since Nigeria’s first republic collapsed in July 1966 amid allegations of massive corruption, the fight against corruption has been developed into an important public policy issue. But current steps taken towards a corruption-free society in Nigeria are many as a result of the efforts of the Obasanjo regime, which for eight years erected it as a major policy priority

(Magbadelo, 2006). The elevation of corruption to an urgent national issue by Obasanjo was itself motivated by a combination of some domestic and global developments.

At the global level, the war against corruption was motivated by a genuine desire to correct Nigeria's frequent appearances at the top of the table of the world's most corrupt nations. Corruption and corrupt practices have a long history in all human societies. Ever since Nigeria's first republic collapsed in July 1966 amid allegations of massive corruption, the fight against corruption has been developed into an important public policy issue. But current steps taken towards a corruption-free society in Nigeria are many as a result of the efforts of the Obasanjo regime, which for eight years erected it as a major policy priority (Magbadelo, 2006). The elevation of corruption to an urgent national issue by Obasanjo was itself motivated by a combination of some domestic and global developments.

Since 1996 till date, Nigeria occupied either the "1 or 2" position in Transparency International Survey of the most corrupt countries in the world. Table below examines Nigeria's position from 1996 to 2016 corruption percentage index rankings.

Transparency International Corruption Perceptions Index (TICPI)

Year	Rankings
1996	54 out of 54
1997	52 out of 52
1998	81 out of 85
1999	98 out of 99
2000	90 out of 90
2001	90 out of 91
2002	101 out of 102
2003	132 out of 133
2004	144 out of 146
2005	152 out of 158
2006	150 out of 163
2007	132 out of 147
2008	121 out of 150
2009	130 out of 150
2010	134 out of 178
2011	143 out of 182
2012	139 out of 176
2013	144 out of 177
2014	136 out of 175

Source: Transparency International Corruption Perceptions Index (TICPI); Eme, (2010) and Shiyabade, (2016)

This became not only a source of personal embarrassment to Nigerian officials travelling overseas, especially the former President Olusegun Obasanjo who was himself one of the founding members of Transparency International, but also an obstacle to the governments much desired goal of reconciling Nigeria with the international community, after many years of diplomatic isolation of securing debt forgiveness and much needed foreign investments.

To make matters worse, negative international publicity against Nigeria coincided with a time when the International Community became more concerned about lack of good governance and its consequences in developing countries. While in office, President Obasanjo conceived and implemented a number of measures to fight corruption, three of which were particularly outstanding. The first one was the creation of specialized anti-corruption agencies, the Independent Corrupt Practices and Other Related Offences Commission (ICPC) in September, 2000 and the Economic and Financial Crimes Commission (EFCC) in April, 2003 to investigate and prosecute corrupt individuals. The other two included a comprehensive anti-corruption reform of the public services, including the Judiciary and an International campaign directed at stopping the flow of stolen funds abroad, as well as recovering funds already stolen and stashed away in Western Banks.

These measures were complemented by other important steps taken by the government to advance the anti-corruption crusade by signing and adoption of several anti-corruption laws and international treaties, sacking of some prominent officials accused of corruption, establishment of ad-hoc commissions of inquiry to probe specific allegations of corruption, regular public statements or speeches denouncing corruption and calling for an ethical reorientation.

The creation of ICPC and EFCC were the most important steps taken although this will not be the first time anti-corruption agencies would be created in Nigeria, the coming of these agencies, especially the ICPC, raised a lot of controversies, mainly because of the extent of their powers (EFCC was erroneously conceived as a tool to non-state actors). According to Section 6(a-f) of the ICPC Act, ICPC will receive and investigate complaints from members of the public on allegations of corrupt practices and in appropriate cases prosecute the offenders, examine the practices, systems and procedures of public bodies and where such systems aid corruption direct and supervise the review and to instruct, advise and assist any officer, agency or parastatals on the ways fraud or corruption may be eliminated or minimized by them.

But the ICPC could only prosecute corruption in the public sector and offences committed after the passage of the Act in July 2000. But the EFCC Act 2004 contained far more 'draconian' powers than those of ICPC. It was enjoyed to take all necessary measures to prevent and eradicate economic and financial crimes in Nigeria. This will include to identify, monitor, freeze or confiscate proceeds from criminal activities (funds and properties) such as terrorism, financial and economic crimes, etc. collaborate with similar institutions abroad, especially in the area of research, investigations and co-ordinate all other regulatory and security agencies involved in the eradication of economic and financial crimes (Section 6).

Problematic Statement on the Corruption Phenomenon's in Nigeria

The crisis of the nation-state of Nigeria has been traced by many scholars to the failure of state institutions (Alex De Tocqueville, 1831 as cited by Wunsch and Olowu, 1995; Alabi and Fashagba, 2006 and Akindele, 2010). For instance, the accountability institutions such as Code of Conduct Bureau, the Court System, the Independent Corrupt Practices and Other Related Crimes Commission (ICPC), the Economic and Financial Crimes Commission (EFCC) and the Police, the Banking Institution, the Educational Institution, the Civil Service Institution and of course, the Political Institutions have been grossly criticized for weakness, impropriety and corruption.

Since 1996 when the World Bank started focusing on corruption as a major impediment to development, the conventional wisdom among development analysts seem to be that once you get the anti-corruption mantra right every other thing will fall in place. It is this near religious belief in the efficacy of anti-corruption institutions as the sole cure of the development challenges facing countries that have led to the proliferation of the establishment of anti-corruption institution in multiple proportions across countries of the development south. While these institutions seem to multiply corruption, the menace for which they were set up assumes an increasingly frightening dimension. Thus while countries may not be in short supply of anti-corruption legislations and institutions, they remain very corrupt and unable to overcome the unenviable consequences of being a corrupt nation.

Corruption has grown with Nigeria as a country. It gets more and more ingrained, especially as the economy deteriorates and the rate of crime increases. There is hardly any day a newspaper will not carry stories of corruption and/or financial crime. Corruption in Nigeria is not practiced systematically but it is systematic.

Corrupt practices are met at both public and private organisations. Almost anywhere a service is to be provided the service is not freely obtained. At the government sector hardly anything which has immediate touch on people goes on free of corruption such as child education (admission, promotion), seeking employment, licensing or registration of small businesses, financial services etc. In the private sector, obtaining product distributorship, small or major contracts, provisions of various needed services, to mention are view. Common to both sectors are embezzlement, fraud and other financial crimes. Corruption has become the second nature in most places in Nigeria even at religious institutions. It is a major paralysis on the economy, even at the highest level of governance in most African nations.

However, the initial applause received by the administration was short lived as ground corruption resurfaced rearing its ugly head among political office holders, the Judiciary and top government functionaries at Federal, State and Local government levels. The unfortunate resurgence of corruption and other social ills smack seriously on the sincerity and integrity of the federal government administration to liberate the nation from the clog of social menace. On the face value fighting corruption can easily be equated with the existence of laws and anti-corruption institutions but that can be very deceptive as institutions and laws alone do not mean efficiency. There are other prerequisites, and this is assertion is made bearing in mind the experience of Nigeria with its plethora of anti-corruptions laws and institutions that does not seem to have made any significant headway in its anti-corruption programme.

Soon after the transition to civilian rule in 1999, Nigeria established two main anti-corruption institutions i.e. the ICPC and the EFCC mostly in response to international pressure for a more concerted effort in its war against corruption. While the relevance and contribution of the two agencies may not be doubted, whether their impact has had any controlling effect on corruption in Nigeria as report of corruption in the most Government Ministries, Department and Agencies is always a major part of the news, just as was the case before they were established.

So, of the challenge is determining what the missing link is and how best to tackle it so as to assure a more effective anti-corruption regime in Nigeria Especially given the need for more prudent management of resources in the present global economic crisis and its attendant impact on the economies of most developing countries.

Thus, it is evident that all cases of abuse of office, corruption, embezzlement of public fund and heavy politisation of issues which ought to have been discussed objectively or rationally. In view of this observation and the evidences, there is need to investigate why there are still political malpractices among political functionaries and bureaucratic failures among the civil servant and political officers. Be that as it may, corruption (embezzlement, money laundering and abuse of office) and politisation of issues are still observable in the Nigeria political system. Hence, this paper is an endeavour to examine the Government response to corruption through institutional control mechanisms.

One would have expected that with the formation of ICPC and EFCC and the power invested in them, there should have been a great reduction in the incidence of corruption among public servants, judiciary, politicians and the private sector but the reverse has been the case; thus the motivational factor to investigate these two anti-corruption agencies.

In designing an anti-corruption agency, one should consider how, in theory, the new agency would act in the worst-case scenario that is, in response to allegations of major corruption by the nation's president. Lawmakers, after all, need to reflect on the issue of public distrust if the president is seen to be above and beyond the jurisdiction of the anti-corruption authority. Establishing an agency with a special provision in its statute that highlights the power to investigate and assist the prosecution of all public officials, irrespective of rank, can strengthen a new agency and send a vital signal that builds public support from the start. A country's leaders need to accept that their successors may not share their standards and that the agency must be empowered to deal with corruption in high places.

To be sure, an anti-corruption agency typically cannot prosecute presidents in office because they usually have immunity under the country's constitution. Impeachment proceedings are generally a matter for a national legislature. Accordingly, the framework of an anti-corruption agency can be fashioned to enable the agency to provide reports to the leadership of the legislature, if there are reasonable grounds to believe that the president has committed an offense and if there is prima facie evidence admissible in a court of law.

Conceptual Underpinnings of Corruption in Nigeria

It is very easy to talk about corruption, but like many other complex phenomena, it is difficult to define corruption in concise and concrete terms. Not surprising, there is often a consensus as to what exactly constitutes this concept. There is always a danger as well that several people may engage in a discussion about corruption while each is talking about a different thing completely. But in recent years there is a body of theoretical and empirical research on corruption (such as: Shleifer and Vishny, 1993; Mauro, 1995; Elliot, 1997; Guhan and Paul, 1997; Girling, 1997; World Bank, 1997; Gill, 1998; Kayfmann and Sachs, 1998; Rose-Ackeram, 1999; Human Development Cooperation (HDC), 1999; Staehurst and Kpundeh, 1999; Vittal, 1999; and Farida and Ahmadi-Esfahani, 2007).

To avoid the confusion of definition of corruption, this paper gives an operational definition of corruption as conceptualized by some studies. Corruption is like cancer, retarding economic development. According to Eigen (2001) corruption is seen as a "daunting obstacle to sustainable development", a constraint on education, health care and poverty alleviation, and a great impediment to the Millennium Development Goal of reducing by half the number of people living in extreme poverty by 2015.

The World Bank sees corruption as the abuse of public officer for private gains. Public office is abused through rent seeking activities for private gain when an official accepts, solicits, or extorts a bribe. Public office is also abused when private agents actively offer bribes to circumvent public policies and processes for competitive advantage and profit. Public officer can also be abused for personal benefit even if no bribery occurs, through patronage and nepotism, the theft of state assets or the diversion of state resources (World Bank, 1997). A public official is corrupt if he accepts money for doing something that he is under duty to do or that he is under duty not to do. Corruption is a betrayal of trust resulting directly or indirectly from the subordination of public goals to those of the individual. Thus a person who engages in nepotism has committed an act of corrupt by putting his family interest over those of the larger society (Gire, 1999).

In Asian Development Bank perspectives of corruption as cited by Agbu (2001), corruption is the behavior of public and private officers who improperly and unlawfully enrich themselves and/or those closely related to them, or induce others to do so, by misusing the position in which they are placed. Systemic corruption also referred to as entrenched corruption, occurs where bribery (money in cash or kind) is taken or given in a corrupt relationship. These include kickbacks, pay-off, sweeteners, greasing palms, etc) on a large or small scale. It is regularly experienced when a license or a service is sought from government officials; it differs from petty corruption in that it is not as individualized. Systemic corruption is apparent whenever the

administration itself transposes the expected purposes of the organizations; forcing participants to follow what otherwise would be termed unacceptable ways and publishing those who resist and try to live up to the formal norms (International Center for Economic Growth, 1999).

In an elaborate analysis, corruption can be divided into seven distinct types: autogenic, defensive, extortive, investive, nepotistic, supportive, and transactive. Autogenic corruption is self-generating and typically involves only the perpetrator. A good example would be what happens in cases of insider trading. A person learns some vital information that may influence stocks in a company and either quickly buys or gets rid of large amounts of stocks before the consequences arising from this information come to pass. Defensive corruption involves situations where a person needing a critical service is compelled to bribe in order to prevent unpleasant consequences being inflicted on his interests.

For instance, a person who wants to travel abroad within a certain time frame needs a passport in order to undertake the journey but it made to pay bribes or forfeit the trip. This personal corruption is in self-defense. Extortive corruption is the behavior of a person demanding personal compensation in exchange for services. Investive corruption entails the offer for goods or services without a direct link to any particular favour at the present, but in anticipation of future situations when the favour may be required. Nepotistic corruption refers to the preferential treatment of, or unjustified appointment of friends or relations to public office, in violation of the accepted guidelines. The supportive type usually does not involve money or immediate gains, but involves actions taken to protect or strengthen the existing corruption. For example, a corrupt regime or official may try to prevent the election or appointment of an honest person or government for fear that the individual or the regime might be probed by the successor(s).

Therefore, transactive corruption refers to situations where the two parties are mutual and willing participants in the corrupt practice to the advantage of both parties. For example, a corrupt businessperson may willingly bribe a corrupt government official in order to win a tender for a certain contract. The focus in this thesis will be on the extortive, nepotistic, and transactive corruption, not only because they appear to be at the core of the corruption phenomenon, but also because the other forms appear to be the offshoot of these three fundamental types. There would be no defensive corruption in the absence of the extortive type.

Some Initiatives and Measures Taken to Fight Corruption and Financial Crimes in Nigeria

Especially during the ears of military rule, Nigeria made an impressive body of laws and took other initiatives in the war against corruption and financial crimes. These are in addition to the criminal and penal codes that have existed since the colonial period, under which official corruption and other offences were tried. The laws and decrees include the following:

- a) Investigation of Assets (Public Officers and Other Persons) Decree of 1968;
- b) The Corrupt Practices Decree 1975;
- c) Public Offers (Special Provisions) Decree 1976;
- d) Recovery of Public Property Decree 1984;
- e) National Drug Law Enforcement Agency (NDLEA) Act. 1990. This was the first law made in Nigeria to make money laundering a criminal offence;
- f) The promulgation of the Mutual Assistance in Criminal Matters within the Commonwealth (Enactment and Enforcement) Act No 13 of 1988, designed to bring Nigeria's municipal law in line with the Harare Scheme. The scheme contains provisions on how to deal with the proceeds of crime and laundering of such money;
- g) The Public Complaint Commission Act Cap 377, Laws of the Federation 1990;
- h) Code of Conduct Bureau and Tribunal Act Cap, Laws of the Federation 1990;
- i) The Criminal Code Act Cap 77 Laws of the Federation 1990;
- j) The Penal Code, Northern States Federal Provisions Act Cap 345, Laws of the Federation 1990;
- k) Banks and Other Financial Institutions Act 1990;
- l) Recovery of Public Property (Special Military Tribunal) Act Cap 389, Laws of the Federation 1990;
- m) The Failed Banks (Recovery of Debts) and Financial Malpractices Act No. 18 of 1994;
- n) Failed Banks Act No. 16 of 1996;
- o) Advance Fee Fraud and other Related Offences Act No. 13 of 1995, intended to deal with the menace of the so-called "Nigerian fraud letters" or "419";
- p) The Foreign Exchange (Miscellaneous Provisions Act No. 17 of 1995; and
- q) The Money Laundering Act No. of 1995.

All these together with the existing Criminal Anti Penal Codes Nigeria were before the first term of former President Obasanjo. Regardless of these plethora of anti-corruption legislations, corruption and corrupt practices grew increasingly. This was perhaps why the international community, saw Nigerian laws as grossly inadequate in dealing with these crimes. There are significant gaps in terms of the coverage of the laws and the

adequacy of penal and forfeiture provisions and enforcement procedures. Odozi, (2002) concludes that, the laws lacked diligence in implementation, which as attributable to reasons including the following.

- (i) Inadequate resources for designing and implementing various anti-crime measures
- (ii) Impediment imposed by the on bank secrecy which shielded the criminals and/or allowed them to frustrate prosecution
- (iii) Large and growing unregulated information sector with varying degrees of opacity and criminality
- (iv) Fragmentation of legal provisions and arbitrage opportunities for criminals
- (v) Poverty in the country which provides excuse if not justification for various forms of economic crimes
- (vi) Cross-border porosity and protection for criminals
- (vii) Lack of political will to resolutely implement tough anti-crime measures.

Consequently, only very few offenders have been successfully prosecuted and tried for corruption as the technicalities of the laws were exploited by defense lawyers to their great advantage. In addition, most of the agencies charged with enforcing the laws were not faithful in keeping abreast of the dynamics and changes of a modern society, especially the intrigues of corrupt people and their accomplices. All these formed the background to the Obasanjo administration's determination to combat corruption head on from 29th May 1999.

The systematic study of corruption is hampered by the lack of an adequate definition but according to Johnston (1991) as cited by Shiyabade (2011) is a tricky business as he comments that "Definitions are controversial, and solid evidence is often elusive. Descriptive accounts may be clouded by self-serving equivocations. Equally subtle is the question of the significance of a corrupt act not only its consequences, but also its meaning as perceived by citizens and official alike.

However, for more clarification and simplicity, Peters (1978) identified three (dimensional) approaches to the definition of political corruption. These are definitions based on legal criteria, public opinion and public interest. From the legal perspective, political corruption is connected to any behavior that violates some formal standard or rule of behavior set down by a political system for its public officials. In his view, Nye (1967) as cited by Shiyabade (2014) conceives political corruption to mean an act which "deviates from the formal duties of a public role because of private regarding (personal, close family, private clique) pecuniary or status gain or violates rules against the exercise of certain types of private role-regarding influence". This perspective has suffered serious criticisms. Jackson, et al (1994) notes that an illegal act may not be corrupt, they further asserted that:

"Worse still, using law as the standard of corruption supports the assertion that everything that is not legal is permitted. The legal foundation of political corruption is simultaneously too narrow and too broad, excluding too much (the unethical but legal) and including too much (the illegal but not unethical)".

Critics argue that in many societies the law lack legitimacy and consistent meaning, which legalism depict little about the social significance of behavior, and that public opinion or cultural standards are best for building realistic definition(s) of corruption (Peters and Welch, 1978). Therefore, a political system is said to be corrupt, according to the second perspective, when the weight of public opinion perceives it so. This perspective is also fraught with certain limitations in that one must be able demarcate the boundary between elite opinion and public opinion. What is taken to be public opinion in many societies is oftentimes the opinion of the elites. Since public opinion determines what law becomes and what dictates the public interest, it has a claim to be the final test for corruption (Jackson, et al 1994). This idea is credible because corruption, like "obscenity is more readily condemned than defined or explained" (Robert 1987).

Another classic perception of corruption is that of Rogow and Lasswell (1963). For then corruption is taken to be a violation of the public interest. This definition is also laden with ambiguities because public interest like public opinion is difficult to determine in this present situation in our society. Critics maintained that "while agreeing that the public interest can play an important part in the self-understanding of any polity, it is not the sharpest instrument for pinpointing misdeeds that constitute corruption". Brinkerhoff (2000) as quoted by Shiyabade (2014) sees corruption as "subsuming a wide variety of illegal, illicit, irregular, and/or unprincipled activities and behaviours of a person or group of people for personal aggrandizement". From this perspective corruption then, is importantly a moral political and legal issue.

In this context corruption is a multidimensional concept that has legal, social, political, economic and ethical connotations. It is simply conceived in this work as misuse or improper use of power and influence, deliberately and consciously for personal aggrandizement or group advantage. In this sense, corruption connotes the abuse of public roles or resources, or the use of illegitimate forms of political power and influence, by public or private parties. Conceived in this manner, corruption is inextricably tied (but not limited) to politics, more especially if politics is defined from Harold Lasswell tradition of who gets what, when and how and perhaps how much. The struggle over resources otherwise known as the "national cake" in the Nigerian society has taken a debilitating dimension permitting all forms of corruption. Every political issue is tied to who get what, when and how. The idea that the "national cake" is meant to be shared rather than baked, but the various ethnic

groups that constitute Nigerian federation provides a fertile ground for the kleptomaniac elites who are obsessed to siphoning the public fund. It also coupled with the problems of identity and citizenship, makes all attempts to stem the tide of corruption difficult if not impossible. This position cannot be established without a proper understanding of the theoretical discourses and the linkage between the nature and character of the Nigerian state and political corruption.

III. CONCLUSION

Corruption in Nigeria is perpetrated by politicians and bureaucrats. But since corruption is irreconcilable with democracy, the phenomenon has unfortunately become inherent in Nigerian democratic system. This practice has stigmatized the image of government and people of Nigeria at both the local and international levels. Furthermore, corruption has invariably weakened our credibility and destroyed the effectiveness of our development policies and strategies. As the prevalence of corruption in Nigeria is real, undisputed and widely perceived, it is invariably a threat to our democracy, economic and social development and political stability. The political class has not demonstrated the moral and political will to tackle the malaise despite all the anti-corruption institutions put in place. Notwithstanding, the greatest challenge is to devise local and international control mechanisms and bottlenecks to prevent democratic despots and other Nigerians from abuse of power.

The globalization of corruption demands that Nigeria needs new options and effective strategies to address the problem in terms of seeking of expertise opinion and experience from international anti-corruption agencies for information, enforcement, plan of action etc in dealing with the phenomenon. Such collaboration and communication with international anti-corruption movements by Nigerian must be hinged on the local capacity and political will of the Legislatures to assert their responsibility and power. International anti-corruption agencies will be willing to partake with Nigerian Legislatures in anti-corruption crusades though effective mobilization, trust and confidence building, integrity and transparency of action of the Legislators, in discharging moral responsibility and selfless service to the people and nation.

Hence, for effective checks and control of corrupt practices unique to Nigeria, local anti-corruption institutions should not be entirely controlled by the executive arm of government most especially at the federal level. Special courts must be established and designated to deal with corrupt offences, for quick dispensation of cases with appropriate corruption monitoring units. However, special anti-corruption commissions may be established, in league with international anti-corruption agencies, at sub-regional, regional and global levels, at the instance of Nigerian with respective countries within the comity of nations for an overall global strategy against corruption.

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