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Reconceptualising Corruption for its Effective Combat in Nigeria

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Abstract:
The popular conception of corruption as abuse of office by public office holders for their private interests is very restrictive. It excessively emphasises legalism and reduce corruption to violation of institutional laws by public officers. This conception makes corruption a public office problem and distances its fight from the populace. Using the analytic method, this study establishes that corruption is fundamentally a moral perversion concerned with wilful distortion and manipulation of any system for self interest. This broadens the conception of corruption to include moral integrity in all aspects of human interactions and creates room for evolving robust strategies based on grooming right public opinion and attitude of the civil society to combat corruption and stimulate development in developing world like Nigeria.

Keywords: Corruption, legalism, morality, public opinion, civil action, sensitisation, development

1. Introduction

Corruption is a global problem that permeates all aspects of human life. It has raked a lot of havoc in the integrity of human interaction and sustenance of modern society. "It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life and allows organized crime, terrorism and other threats to human security to flourish"(Annan, 2004. p.iii).It is one of the most debilitating factors in human and national development that lead to underdevelopment and poverty. Globalisation and enhanced mass communication have brought corruption to the limelight of international, social, economic and political discussions. Developed nations are conscientiously evolving pragmatic strategies to checkmate it. But the developing nations are still lost in trying to conceptualise the enormity of the phenomenon and the right approach to effectively combat it. It is always a central issue whenever socioeconomic and political problems are being considered in the developing world.

 Africa and Nigeria in particular is underdeveloped and grappling with poverty, despite her abundant human and natural resources, due to the endemic corruption in the society. Most of the nation's strategies in combating corruption are very ephemeral, focused on the recovery of public officer's stolen funds and leaving the structure of corruption intact. The strategies always fail to make any meaningful impact as they address only the tip of the iceberg.   Corruption is endemic in Nigeria and any serious combat against corruption requires proper understanding of what is corruption and its tentacles (dimensions). In this article, we adopt analytic method and try to articulate a conception of corruption that will evolve robust strategy and popular participation of the people in the fight against corruption.

Many literatures on corruption shy away from delving into the conceptual framework of the subject and focus on the socio-economic and political effects of corruption and their remedies. This approach leads to excessive emphasis on the legalistic approach to corruption. This orientation gave rise to United Nations Office on Drug and Crime (UNODC, 2004, p.23) conception of corruption as abuse of office by public office holders entrusted with the common good for their private interest.   This conception is very restrictive as it fails to accommodate many things we generally perceive as corruption and reduce it to a public institutional problem alone.

2. Corruption as Distortion of Reality

The word corruption has its origin from the Latin words *corruptus* meaning "spoiled" and *currumpere* meaning "to ruin," "to break down to pieces", "to despoil" (UNODC, 2004, p.23). Corruption can be generally understood as contamination, distortion or ruin of the purity of things for personal interest. It is the distortion and break down of the standard order of a thing to gain self advantage. When we say that something is corrupt, it means that the standard nature of that thing has been compromised and its ability to actualise its purpose is undermined.

Corruption can affect all aspects of reality. We can talk of physical corruption referring to distortion of the standard quality of physical reality, like when a substance is adulterated and distorted with foreign elements that undermine the quality.   Besides physical

corruption we have human corruption which deals with human behaviour and organisation. Here, corruption entails despoiling the moral integrity and efficiency of human action and institutions.   Social institutions are created in a society to maintain order and facilitate peaceful human relationship for the good of all. They are fashioned to follow certain standard process to achieve specific goals. When the standard process of these institutions are compromised and distorted to satisfy sectional or self interest against the common good, the institution is corrupted. It loses its quality, purity, integrity and capability to secure its goal.

As institutional corruption affects the integrity of societal institutions, so does personal corruption deals with the integrity of individuals.   Personal corruption pertains to the moral character of persons, and consists in the despoiling of their moral character(Miller, 2011). Personal corruption distorts personal virtues like virtues of compassion, justice and fairness in dealing with others that characterised a person as a moral agent. An individual as a member of a society is morally expected to uphold the ideals of his society especially as it concerns the common good. Aristotle (n.d)also conceived corruption as derailment from virtue and good habits that enhance good life.

Corruption has causal effects on both individuals and institutions. One is corrupted as he engages in corrupt acts. An endemic corrupt society exposes its institutions and members to corruption. It is difficult for one to operate in such a society without being involved in corruption as the processes of attaining justice, accessing public services or transacting business are compromised to satisfy individual interests of the officials entrusted with the common good. For instance, a young honest police officer in an endemic corrupt society will be lured into corruption by the corrupt operational challenges he experiences in the course of his work especially from his corrupt colleagues.   As he gets corrupt by the situation in the institution, he also reinforces corruption in the system by his own corrupt actions.

It is pertinent to distinguish corruption from deterioration. Deterioration means wearing off of a system which may be due to use, abuse, negligence or age, but corruption means distortion and manipulation of a system forselfish gain. Corruption can lead to weakening and deterioration of a system as continuous distortion and manipulation of a system weakens its cohesiveness and the system deteriorates. Also, deterioration of a system can give room for corruption as deterioration weakens the system and creates loopholes for people to exploit for self interest.

3. Levels of Corruption

There are always elements of corruption in any society. Personal interests often influence our actions. The fight against corruption is aimed at minimising it. Corruption can be classified into three headings depending on their gravity in undermining social or institutional order. The classifications are petty corruption, grand corruption and endemic or systematic corruption (UNODC, 2004). We have petty corruption (also called administrative corruption) when corruption occurs as small favours affecting small areas of administration of a society without disrupting the established structure of the system. Here, we have bribes or exchange of improper gifts or use of personal connection to obtain favours like an official requesting bribe before doing his work. Grand corruption is the corruption that has extensive effect on the society. It is a corruption that occurs at the high levels of government that has significant subversive effect on the social, political, legal or economic system of a society. Endemic or systematic corruption refers to the prevalence of corruption in the daily activities of a society. This is where corruption permeates the general structure of an institution or society.

4. Corruption in Public Office

Contemporary literatures on corruption mainly focus on public sector corruption, emphasising political and bureaucratic corruption, bribery and illegal forms of corruption. Hence, corruption has been extensively conceived as abuse of public office by its officers for personal gains. Public office is a common property of the people and the occupants do not own it. Public officers are entrusted with the responsibility to uphold and actualise the duties of public office for common good. They are there to serve the common good and not self or sectional good. Hence, Dobel (1978, p.958) conceives corruption from political perspective as the betrayal of public trust for individual or group gain that may undermine the efficacy of the basic political structures and governance of the society. Betrayal of public trust refers to abuse of public power and resources of an office by the occupant for personal interest. Morris S.D. (1991) brings in the issue of illegality of corruption and defines corruption as the illegitimate use of public power to benefit a private interest. For Nye (1967, p.419) corruption involves "behaviour which deviates from the normal duties of a public role because of private-regarding (family, close private clique), pecuniary or status gains; or violates rules against the exercise of certain types for private-regarding influence."

These definitions point to the fact that corruption implies deviation from operational standard of a public office by public officials for personal interest. The personal interest need not be pecuniary. It could be issues like clientele favouritism (e.g. political party patronage), nepotism (eg. religious, ethnic, familial or sectional patronage) and misappropriation of public resources for self-interest (e.g. embezzlement or misuse of public funds and executing self serving projects) at the detriment of common good.

5. Corruption as a Legal Concept

The concept of corruption as an abuse of public office for personal interest necessitated its legalistic interpretation. Legalism tries to present corruption in a positivist sense, providing objectively verifiable definition for it. Here corruption is based on definitions spelt out by laws. If an act is defined as corrupt and "prohibited by laws established by the government, it is corrupt, if it is not prohibited; it is not corrupt even if it is abusive and unethical" (Gardiner, 2002, p.29).This interpretation neglects moral dimension that occasions corruption and limits the universality of what is corruption to regime's and state's legislations. It creates the problem of giving normative value to whatever standards sanctioned by government and negates universal application of the criteria of corruption across

international borders. As nations make their laws and their laws define corruption in their society, the criteria for corruption will always differ from one nation to another. This constitutes serious setbacks in international efforts to combat corruption. Scott (1972) warns against legal conception of corruption as a corrupt regime can use it to justify its perpetuation of self interest at the expense of the common good. This is often the case in many developing countries with weak public institutions where a repressive government engages in nepotism, political bigotry, clientele favouritism, etc.

6. Corruption as a Moral Concept

Corruption is essentially a moral problem and it entails moral responsibility. To describe someone, an institution or an action as corrupt is to ascribe a moral deficiency and to express moral disapproval (Miller, 2011).A corrupting agent wills to compromise the purity of an action or an institutional process to satisfy self interest. The agent is, therefore, morally responsible for its corrupt action. A person coerced into doing corrupt act cannot be said to be corrupt. But the agent that coerced him is the corrupting agent and it is morally responsible. An act of corruption has corrupting effect on the moral character of both the agent and the institution.

Morality aims at sustaining the integrity and well being of reality and legality aims at establishing laws that will secure the integrity of institutions. When a law compromises the integrity of an institution the law is seen as unjust law. When one violates an unjust law in a bid to maintain the integrity of a system, he cannot be said to be corrupt. For instance, an official, who on his moral conviction protects a victim of state persecution cannot be said to be corrupt.   This assertion, however, does not support over zealousness that can lead to corruption, like when an agent in eager to achieve a goal (no matter how noble or benevolent) compromises the process and dents the moral integrity of the process. For instance, a policeman that fabricates evidence in desperate bid to convict a perceived criminal corrupts the legal process. Miller (2011) calls it acting for the sake of good or noble cause corruption. Culpable negligence can be corruption depending on circumstances, like when one neglects his duties in pursuit of selfish interest.

Moral conceptualisation of corruption extends it beyond the legal prohibitions and activities of public officials. Here corruption means thwarting any social order for selfish interest. This will include unethical practices of aggrandisement of personal interest, be it in religious activities, business dealings and other social interactions. This conception brings out the holistic picture of corruption as despoiling a system and extends it to the various aspects of human activity, both public and private, and demands general integrity of human conduct.

Morality may have the limitation of leaving corruption on the level of subjectivism of individual convictions and lack objectivity. For objectivity and pragmatic purposes, societies use law to define and concretise their moral convictions. Morality does not preclude legality; it rather refines and completes the limitations of laws, and elicits personal commitment. Legality leaves corruption at the level of state concern while morality brings it to personal involvement which is essential for any meaningful fight against corruption.

7. Corruption and Public Opinion

Effective combat of corruption requires cooperation of the people. This brings in the issue of public opinion in definition of corruption. The way a people conceive what constitutes corruption or the gravity of the effect of corruption, goes a long way to determine their resolve to participate in the fight against corruption. The sensitivity of the people to the morality of corruption elicits personal commitment to checkmate corruption.   If there is significant discrepancy between what the law says and how most people perceive corruption, it is more likely that the people will be guided by their personal convictions and the public opinion than the letters of the laws."Effective action against corruption will be difficult or impossible if public opinion does not correspond to the statute's definitions" (Gardiner, 2002, p.32). There is always the need to sensitise the public to be strict about corruption for effective fight against corruption. If corruption is restricted to legal interpretation and focused only on public office holders, many will perceive it as state problem and may not be committed in combating it. Individuals will be considered to be corrupt only when convicted by court of law. But if the people are sensitised that corruption is a moral depravity whether it concerns public or private enterprise, they will more readily rise up against agents of corruption and resist temptation to involve in corruption. People will attitudinally distance themselves from associating with the corrupt.

Heidenheimer (1989, p.161) differentiates black, grey and white corruption based on public opinion. Black corruption indicates those actions that attract condemnation of majority opinion of both the elite and the masses which they would like to see punished as a matter of principles. Grey corruption refers to those acts that attract condemnation of some people, especially the elites but the masses may be ambivalent in seeing them punished. White corruption depicts those actions that the majority of both the elites and the masses opinion would not seriously support their punishment.

8. Causes of Corruption

The prevalence of corruption in a society is due to a number of factors. Klitgaard (1991) presented utilitarian factors based on egoism and said that corruption occurs if the corrupt gain is greater than the penalty multiplied by the likelihood of being caught and prosecuted: Corrupt gain > Penalty × Likelihood of being caught and prosecuted. This equation omitted one important factor which is moral integrity. Personal moral value and integrity have great bearing on the corruption equation. Stephen (2012) brought in the moral question and restructured Klitgaard's equation to: Degree of Corruption = monopoly + Discretion – transparency – morality. For Stephen, porosity of a system is the cause of corruption, which can be both external, patterning to situational circumstances like monopolistic control of resources, poor censorship and lack of transparency: and internal, patterning to personal integrity. Rose-Ackerman and Palifka (2016) categorised the factors under three broad headings namely, institutions, incentives and personal ethics. These three factors interact to determine the levels and types of corruption in a society.

Institutional factors refer to the operational structure of a society. Public officials do not own their offices. They are there to operate the system. There should be clearly defined laws and guidelines that control public office operations and their officers should always give transparent account for their stewardship. Discretionary power exposes public officials to the temptation of allowing their personal interest to influence their decisions. Klitgaard (1991, p.75) writing about public office corruption states that 'corruption is more likely when a public official has monopoly power over a service combined with discretion to exercise that power and lack of accountability'.   For Rose-Ackerman and Palifka (2016, p.530) "a strong organizational stance against corruption, coupled with monitoring and proportional penalties, creates very different incentives from an environment in which corruption is tolerated or even encouraged." Institutional factors that aid corruption include

- a. Monopolistic power over essential services
- b. Excess discretionary power rather than rule based decision making
- c. Lack of professionalism and accountability
- d. Poor monitoring and transparency
- e. Complex and confusing rules and regulations
- f. High cost of government services and taxation

The institutional framework to checkmate corruption needs to be extended to the private sector to develop anti corruption consciousness. There should be efficient laws and structures that would discourage dishonesty in human relations and ensure that people live up to their contractual obligations even in private life.

Incentive is another serious factor in determining the level of corruption. Factors that may reduce corruption in a society include decent income, emphasis on excellence and merit, education, professionalism and care for general welfare of the people. These factors alone may not checkmate corruption if not counter balanced with deterrents like effective supervision and high chances of detection and appropriate punishment of corruption. An individual balances the costs and benefits of indulging in corrupt act before acting. If the negative effects of corruption far outweigh the gains, it will deter people from engaging in corruption. For instance, high wages in circumstances where the chances of dictating corruption are high and the potential consequential loss will be heavy strongly deter corruption (Rijckeghem and Weder, 1997). Rauch and Evans (2000) quantitative study of 35 developing countries suggest that corruption is higher in countries in which civil service recruitment and promotion are based less on excellence and merit and the salary is poor.

Personal ethical values of people contribute seriously in determining the prevalence of corruption in society. Where the people strongly believe that corruption is morally wrong and they have strong moral character, they will resist temptations to indulge in corruption and will see that it is checkmated around them. They will dissociate themselves from corrupt people and the proceeds of corruption. Personal high sense of justice and fairness, commitment to duty, responsibility and personal integrity are essential in checkmating corruption. It requires strong personal commitment and high integrity for one to resist corruption in a society where corruption is endemic. Prosecution of grand corruption especially among top public officials are often very tedious and many witnesses are reluctant to go through the hurdles of the litigation. It requires the strong moral commitment of the witnesses to go through the litigation process.

9. Combating Corruption in Nigeria

Since the emergence of Nigeria as an independent nation, corruption has been a major bane of her development and stability. Different regimes have been toppled and many public officials have been dismissed from service or imprisoned on the claims that they were corrupt. There have been many crusades against corruption by different regimes but corruption is still very salient in virtually all aspects of her social life. President Muhammadu Buhari in 2015 won his presidential election under an opposition party, All Progressive Congress (APC), against the incumbent president Goodluck Jonathan on the major campaign promise to fight corruption.

Corruption in Nigeria is due to a number of factors that border on weak institutional framework, poor incentive, profitability of corruption and low moral integrity. There is generally low level of transparency in human interactions in Nigeria. The case is worse in the public service where chief executives have excessive discretionary powers without being transparent and accountable to the people. Common interest is perceived as no body's interest and any person in charge takes undue advantage of this perverted conception to manipulate issues for personal gains. Chief executives see their duties as dispensing patronages according to their whims and caprices, and flaunt their contempt of institutional guidelines with impunity. For instance, Governor Rochas Okorocha of Imo State governs the state with his personal aides without recourse to the civil service guidelines and personnel. To buttress his contempt for the civil service he reduced their working days to only three days in a week. Government projects are not aimed at the common good but at serving the personal interests of those in power. Hence, people struggle to be in government or associate with government officials to unduly attract common resources to themselves. This has accounted for monumental waste of public resources, clientele groupings, nepotism and bribery. President Muhammadu Buhari on assumption of office in 2015 said that his administration will distribute amenities according to the trend of votes he received from different constituencies during his election. Despite his campaign promises to fight corruption, he lived up to his words in the lopsided appointments of his ethnic group into sensitive government positions. His acts of nepotism in office have heightened sectional consciousness and instability of the nation.

There are poor incentives for uprightness in Nigerian public service. The arbitrary disruption of the fate of public officers by chief executives, poor and irregular wages, non payment of pension and gratuity to retired public servants among other things militate against commitment to public service. Again, the profitability of corruption in Nigeria is very high and sanctions against corruption are too minimal compared to the gains, especially as it regards grand corruption. Most grand corruptions are not diligently investigated and prosecuted. The plea bargain policy of the Nigerian government for corrupt people to return a fraction of their embezzled money,

in the few cases where corruption is uncovered, makes nonsense of the fight against corruption. Also those convicted of grand corruption are given ignoble mild sentences which portray lack of seriousness on issues of corruption by the government. For instance, Atiku Abubakar Kigo, a director in the police pension office and other officials were convicted by Justice Hussain Baba of conspiracy, breach of trust and embezzlement of N32.8 billion police pension funds and sentenced to only two years imprisonment or pay a fine of N750, 000.

The moral integrity of many chief executives in public institutions is low. Many political elites in Nigeria have questionable credentials. The Directorate of State Security (DSS) saddled with the responsibility of investigating senior public officers often does shabby job of her duties. The elites use political positions to shield themselves from the law and launder their images. They distract and convert their corrupt and criminal cases into political controversies. It has become a tradition in Nigeria that grand corruption cases against notable persons are never concluded. The pattern is when the matter is charged to court, the culprit is granted bail and the case is abandoned after political manipulations and settlements.

Corruption in Nigeria is so endemic that many people have become apathetic to the situation and have accepted it as a way of life. Nigerian populace have lost confidence in public service. The credibility of the processes of demanding accountability from political office holders has been compromised. There is this attitude among the populace, 'if you cannot beat or control them, join them'. Honours and titles are eagerly given to convicted corrupt individuals once they have the resources to throw around. Affluence is glamorised above integrity. Bode George, a veteran politician in Nigeria, was given a hero's welcome after serving his prison sentence on corruption. Governor James Ibori of Delta State was also treated to a hero's welcome after being released from British prison for embezzling and laundering the state's money when he was the governor. The acceptance of corruption as a way of life (the defacto culture) makes the fight against corruption very difficult.

In the private sector also there is moral ineptitude in human transactions. There is prevalence of deceptions, manipulations, breach of trusts and contracts, and compromising of standards in social, political and economic interactions.

Public institutions like the legal, police and other agencies for protection of people's right, standard control and enforcement of laws and order are too corrupt and weak to perform their functions creditably. Nigerian government has established some special institutions to fight corruption like Code of Conduct Bureau (CCD), Independent Corrupt Practices Commission (ICPC) and Economic and Financial Crime Commission (EFCC). But these institutions are also suffering the virus of corruption and are highly politicised; and thereby, they become lame in handling grand corruption.

Any fight against corruption in Nigeria needs the reorientation of the Nigerian psyche and stimulation of right moral consciousness. This requires sensitisation of the people on the evils of corruption and handling cases of corruption with the seriousness they deserve by effective prosecution of corruption and applying stringent sanctions. The Asian stringent measures against corruption like long term imprisonment and confiscation of assets of convicts and that of their family members should be appliedin Nigeria. The discretional powers of chief executives need to be curtailed and transparency should be the watch word in public service. People should be made to account for the source of their wealth. The penchant of people brandishing wealth and living in luxury without known legitimate source of income should be checkmated.

Also, Poverty needs to be addressed so that the populace can afford the basic needs of life for a dignified life. This will ameliorate desperation for survival and enhance positive value consciousness of the people. A just and standardised wage system needs to be established and vigorously implemented to bridge the wide discrepancies of wages of public servants for the fight against corruption to be ever meaningful. Again, the people should be educated on the workings of governance, and their civic rights and duties. Government services and processes should be simplified and transparent for ordinary citizens to appreciate. Average Nigerian should feel the impact of the government in protecting and enhancing their life in order to elicit their patriotism.

10. Conclusion

Corruption is a very big global problem in human society especially in developing societies like Nigeria, where strong modern institutions that can effectively checkmate individual excesses in social life, have not yet evolved. Corruption destroys the basic fabrics of cohesiveness of integrity and trust on which modern stable society is built. It undermines human development, creates poverty in the midst of plenty, social tensions and conflicts, and endangers life and property.   To effectively address corruption, we need to see it as a moral depravity that affects the whole social order and not just a public institutional problem concerning public officials only. It affects both the private and public activities of a people. Corruption conceived as referring only to public affairs may appear to be state problem and may not elicit personal commitment and people's participation in the crusade against corruption. Its moral conception as distortion and despoiling of social order for selfish interest, be it public or private, brings out the evil of corruption as a threat to integrity of human interactions, peaceful co-existence and development. This calls for the participation of all in the fight against corruption.

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