Empirical Analysis of Forensic Science in Combating Corruption in Nigeria Correctional Institution

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Abstract

Forensic science can be used in Combating Corruption in Nigeria Correctional Institution and all forms of economic and financial crimes which are pervasive. All efforts by successive governments to either fight or reduce this humongous menace have proved abortive. It has penetrated all sectors of Nigerian society. Due to government insincerity in fighting corruption, civil servants in the ministry of finance, Staff of Nigeria Correctional Institutions take advantage of looting the treasury. The study examined Empirical Analysis of Forensic Science in Combating Corruption in Nigeria Correctional Institution. The objective of the study identified the forms of corruption, ascertained the extent of corruption and assessed the causes of corruption in Nigeria Correctional Institutions. The finding of the study is that the long-time reign of corruption in the country has impacted negatively on the growth of Nigeria Correctional Institutions and It has also decayed or deteriorated the country's cultural

values. The study adopted the Modernization Theory and Game Theory. The study therefore, recommends that the Nigerian government should advance the use of anti-corruption agencies such as; Independent Corrupt Practices Commission (EFCC) and other Agencies to properly investigate corrupt practices and to apportion appropriate sanctions. There should be re-orientation process in education system in Nigeria that would lead to redemption or retrieval and salvaging or restoring of the country's national character and image. There should be Correctional Staff education on the implication of corruption.

Keywords: Forensic Science, Correctional Institution and Corruption

Introduction

With an upsurge in corruption in Nigeria Correctional Institutions, corruption has become an emerging topic of great importance for academic, research and industries. *Forensic Science* will enable you to have insight to Police Crime Investigation, as related to *Forensic Science.* The price of corruption has been extremely high. The economic, political, social and moral bases of the country have been severely eroded and degraded. It has brought us near the brink and almost rendered us helpless and hopeless. It became imperative that something drastic had to be done to arrest the rot. This impelled the commitment of the president to tackle corruption head on. (ICPC ACT 2000).

Corruption is efforts to secure wealth or power through illegal means for private gain at public expense; or a misuse of public power for private benefit. Corruption is like cockroaches, it co-existed with human society for a long time and remains as one of the problems in many of the world's developing economies with devastating consequences. Corruption as a phenomenon, is a global problem, and exists in varying degrees in different countries (Luna, 2002). Corruption is not only found in democratic and dictatorial politics, but also in feudal, capitalist and socialist economies. Christian, Muslim, Hindu, and Buddhist cultures are equally bedeviled by corruption (Dike, 2005).

As quoted by Okoroafor and Njoku (2012), value re-orientation is aimed at inculcating good values that can help Nigeria out of her numerous predicaments which can refocus the nation toward greatness. The Nigerian government has

therefore put in place several efforts to orientate Nigerians to imbibe and instill the culture of virtue and to shun immoral acts. The government has made some efforts and different strategies to curb corruption in the country, For instance, the introduction of War Against Indiscipline (WAI) by Buhari (Nigeria President) to change the immoral attitude of Nigerians for better, the introduction of Economic and Financial Crime commission (EFCC) to check corruption in the country, and other agencies such as; Independent Corrupt Practices and Other Related Offences Commission (ICPC) to ensure ethical and moral values by restoring the good moral values inherent in the traditional society. Economic and Financial Crimes serve as a disease to economic development in Nigeria that has huge earning from oil. In the works of Waziri (2009), corruption afflicts virtually all parts of the Nigerian society. It has eaten deep into Nigeria value system and is now threatening to spread to the culture as public adulation for wealth has increased. The society no longer asks questions as to how people came by their questionable wealth.

According to Lewis (1994) and Beekers (2012), Nigeria is often classified as a neo-patrimonial state and these particular characteristics have serious implications on the social mechanisms enabling corruption in the country. Patrimonialism is defined as a social and political order where patrons secure the loyalty and support of clients by granting benefits from their own or state resources while neo-patrimonialism gives rise to a 'hybrid' state which often fails to guarantee the universal and fair distribution of public resources. Corruption in Nigeria manifest itself in different ways, both on a micro and macro level, and it occurs at all levels of society. According to the report by (Amundsen I, 2010), the types of corruption in Nigeria are; rent-seeking, embezzlement, conflict of interest, bribes and kickbacks, nepotism and cronyism, corruption in provision of services, political patronage, and electoral corruption, among others.

Ojaide (2000) submits that there is an alarming increase in the number of fraud and fraudulent activities in Nigeria emphasizing the visibility of forensic accounting services. Therefore, many foreign investors have lost several billions of dollars to fraudsters thereby leading to reduction and negative consequences on economic growth and development. Appropriate legislation was enacted to criminalize all corrupt conducts including unjust enrichment. Key institutions like

Independence Corrupt Practices Commission (ICPC), Economic and Financial Crime Commission (EFCC) were established to fight corruption.

Consequently, there is a general expectation that Forensic Science should be able to stem the tide of financial malfeasance witnessed in most sectors of the Nigerian economy. However, there has not been adequate emphasis, especially survey evidence on how Forensic Science can help curb financial crimes beyond the several anecdotal views that abound.

Conceptual Clarifications

Forensic Science

Forensic science, also known as criminalistics, is the application of science principles and methods to support legal decision-making in matters of criminal and civil law. During criminal investigation in particular, it is governed by the legal standards of admissible evidence and criminal procedure. It is a broad field utilizing numerous practices such as the analysis of DNA, fingerprints, bloodstain patterns, firearms, ballistics, toxicology, and fire debris analysis (Study.com.Criminalistics).

Forensic scientists collect, preserve, and analyze evidence during the course of an investigation. While some forensic scientists travel to the scene of the crime to collect the evidence themselves, others occupy a laboratory role, performing analysis on objects brought to them by other individuals (Edu, 2013). Others are involved in analysis of financial, banking, or other numerical data for use in financial crime investigation, and can be employed as consultants from private firms, academia, or as government employees (NBC News, 2021).

In addition to their laboratory role, forensic scientists testify as expert witnesses in both criminal and civil cases and can work for either the prosecution or the defense. While any field could technically be *forensic*, certain sections have developed over time to encompass the majority of forensically related cases (American Academy of Forensic Sciences, 2015).

The word forensic comes from Latin (Forensic meaning "before the forum") and refers to something "of pertaining to or used in a court of law. In today's day

and age, it almost refers to a method of obtaining criminal evidence for the purpose of using it in the court of law. Forensic science is typically just referred to as "Forensics" and is the practical application of numerous sciences to solve legal system – related questions, which can include either a civil or criminal action or suit. The use of the term "Forensics" in place of "Forensic science" is actually a globally–accepted misnomer considering that the term "forensic" is effectively a synonym for "legal" or "pertaining to court", from the root Latin meaning. Because it is now so closely associated with the criminal scientific field, many dictionaries equate the word "Forensics" with forensic science". Forensic Science extends into a broad range of sub-sciences which utilizes natural science technique to obtain relevant criminal and legal evidence. Also, Forensic Science (often shortened to forensics) is the application of a broad spectrum of science to answer questions of interest to a legal system. This may be in relation to a crime or a civil action. Besides, its relevance to a legal system, more generally forensics encompasses the accepted scholarly or scientific methodology and norms under which the facts regarding an event, or an artefact or some other physical items (such as a corpse) are ascertained as being the case. In that regard, the concept is related to the notion of authentication, whereby an interest outside of a legal form exists in determining whether an object is what it purports to be, or is alleged as being. As earlier stated, the word forensic comes from the Latin adjective forensic, meaning "of or before the forum". In Roman times, a criminal charge meant presenting the case before a group of public individuals in the forum. Both the person accused of the crime; and his side of the story will determine the outcome of the case. Basically, the person with the sharpest forensic skills would win. This origin is the source of the two modern usages of the word forensic – as a form of legal evidence and as a category of public presentation. In modern use, the term "forensics" in place of "forensic science" can be considered incorrect as the term "forensic" is effectively a synonym for "legal" or "related to courts" however, the term is now so closely associated with the scientific field that many dictionaries include the meaning that equates the word "forensics" with forensic science" (NOUN CSS455 Forensic Science. Pg 12-13).

Nigeria Correctional Institution

Opara (1998), defined Correctional Institution as a place defined by the law of the state to ensure restraint and custody of persons accused and convicted of violating

the laws that govern the state. Civil Inmates like the debtors and the state detainees are also kept in the Correctional Institution custody. Also, Correctional Institution is described as a place offenders or law breakers are kept as a punishment for crime committed, it could also serve as a place where individuals are kept while Awaiting Trial.

Foucault (1995), suggest that Correctional Institution was not a deprivation of freedom as it was later added technically, it was a legal detention entrusted with an additional corrective task for reforming individuals that the deprivation of freedom was allowed to function in the system legally. That is, from the onset, inhuman treatment and deprivation of basic facility is not sign for effective Criminal Justice Administration. They also have some rights, though they are incarcerated and their rights to freedom are suspended during this period, but their right to dignity must be respected in free and democratic societies. People who commit crimes are sentenced to Correctional Institution as punishment and not for punishment. The institution has always been full of people with aggression, running counter to the values of humaneness, softness, openness, and anti-oppression (Weschler, 1991). Foucault et al (1989), observed to an extent that Correctional Institution is the best, simplest, clearest, more so, more equitable of penalties according to the variable of time. The purpose of the Correctional Institution is to separate those who commit offences from the society, such people are separated from outside world and anything at all that aid their criminal activities.

Corruption

According to section 2 of I.C.P.C Act (2000), corruption simply connotes impropriety and encompasses all forms of reprehensible, indecorous and infamous conduct in the performance of some official and non-official's responsibilities. This means any act, which go out of any normal societal behaviour. According to Nye, J.S. (1967), Corruption is a behaviour, which deviates from the formal duties of a public role, because of private (gains) regarding (personal, close family, private clique, pecuniary or status gains). It is behaviour, which violates rules against the exercise of certain types of duties for private gains regarding influence.

Wikipidia. Corruption is a form of dishonesty or a criminal offense which is undertaken by a person or an organization which is entrusted in a position of authority, in order to acquire illicit benefits or abuse power for one's personal gain. Corruption may involve many activities which include bribery, influence peddling and embezzlement and it may also involve practices which are legal in many countries (siteresources.worldbank.org, 2015). Political corruption occurs when an office-holder or other governmental employee acts with an official capacity for personal gain. Corruption is most common in kleptocracies, oligarchies, narco-states, and mafia states.

Corruption and crime are endemic sociological occurrences which appear with regular frequency in virtually all countries on a global scale in varying degrees and proportions. Recent data suggests corruption is on the rise (worldjusticeproject.org, 2023). Each individual nation allocates domestic resources for the control and regulation of corruption and the deterrence of crime. Strategies which are undertaken in order to counter corruption are often summarized under the umbrella term anti-corruption (Lehtinen et.al, 2022). Additionally, global initiatives like the United Nations Sustainable Development Goal 16 also have a targeted goal which is supposed to substantially reduce corruption in all of its forms (Doss, 2020).

To Fight Corruption, We Must Embrace Transparency

Transparency is all about knowing who, why, what, how and how much. It means shedding light on formal and informal rules, plans, processes and actions. Transparency helps us, the public, hold all power to account for the common good. Seeking and receiving information is a human right that can act as a safeguard against corruption, and increase trust in decision makers and public institutions. However, transparency is not only about making information available, but ensuring it can be easily accessed, understood and used by citizens.

Types of Corruption

Corruption in Nigeria manifests itself in different ways, both on a micro and a macro level, and it occurs at all levels of society. Evidence on the forms of corruption, actors involved and its magnitude is however scattered across many academic papers, newspaper articles, and reports from donors and civil society

organizations, making it difficult to gain a clear understanding of the types of corruption that take place in the country.

i. **Systemic Corruption :** As opposed to exploiting occasional opportunities, endemic or systemic corruption is an integrated and essential aspect of the economic, social and political system, when it is embedded in a wider situation that helps sustain it. Systemic corruption is not a special category of corrupt practice, but rather a situation in which the major institutions and processes of the state are routinely dominated and used by corrupt individuals and groups, and in which most people have no alternatives to dealing with corrupt officials. Examples might include contemporary Bangladesh, Nigeria, Kenya, Cameroon and many others. (Michael Johnston: Fighting Systemic Corruption: Social Foundations for Institutional Reform.)

ii. **Sporadic (Individual) Corruption:** Sporadic corruption is the opposite of systemic corruption. Sporadic corruption occurs irregularly and therefore it does not threaten the mechanisms of control nor the economy as such. It is not crippling, but it can seriously undermine morale and sap the economy of resources.

iii. **Political (Grand) Corruption:** Political corruption is any transaction between private and public sector actors through which collective goods are illegitimately converted into private-regarding payoffs. Political corruption is often used synonymously with "grand" or high-level corruption, distinguished from bureaucratic or petty corruption because it involves political decision-makers. Political or grand corruption takes place at the high levels of the political system, when politicians and state agents entitled to make and enforce the laws in the name of the people, are using this authority to sustain their power, status and wealth. Political corruption not only leads to the misallocation of resources, but it also perverts the manner in which decisions are made. Political corruption is when the laws and regulations are abused by the rulers, side-stepped, ignored, or even tailored to fit their interests. It is when the legal bases, against which corrupt practices are usually evaluated and judged, are weak and furthermore subject to downright encroachment by the rulers.

iv. **Grand Corruption:** High level or "grand" corruption takes place at the policy formulation end of politics. It refers not so much to the amount of money involved as to the level in which it takes place: grand corruption is at the top levels of the public sphere, where policies and rules are formulated in the first place. Usually (but not always) synonymous to political corruption.

v. **Petty Corruption:** Small scale, bureaucratic or petty corruption is the everyday corruption that takes place at the implementation end of politics, where the public officials meet the public. Petty corruption is bribery in connection with the implementation of existing laws, rules and regulations, and thus different from "grand" or political corruption. Petty corruption refers to the modest sums of money usually involved, and has also been called "low level" and "street level" to name the kind of corruption that people can experience more or less daily, in their encounter with public administration and services like hospitals, schools, local licensing authorities, police, taxing authorities and so on.

vi. **Legal and Moral Corruption:** Corruption is derived from the Latin verb *rumpere,* to break. According to this approach, corruption is where the law is clearly broken. This requires that all laws must be precisely stated, leaving no doubts about their meaning and no discretion to the public officials. A legal interpretation of corruption provides a clearly demarcated boundary between what is a corrupt activity and what is not. 'If an official's act is prohibited by laws established by the government, it is corrupt; if it is not prohibited, it is not corrupt even if it is abusive or unethical' (John, 1993.)

Corruption may be looked at from the following angles.

i. **Political Corruption:** It is the dysfunction of a political system or institution in which government officials, political, official or employees seek illegitimate personal gain through actions such as bribery, extortion etc.

ii. **Corporate Corruption:** It is the abuse of power by corporate managers against shareholders or consumers. For example, EFCC investigated the cases of corruption that involved personal enrichment of shareholders and depositor's money by the bank executives.

iii. **Putrefaction:** Literally means the decomposition of recently - living bio - matter. However, with the Nigeria State it could be used as an imagery to typify the existing decomposing state of our national fabric ravaged by corruption.

iv. **Data Corruption:** An unintended change to data in storage or in transit corruption (linguistics) the change in meaning to a language or a text introduced by cumulative errors in transcription as changes in the language speakers' comprehension.

v. **Bribery:** As an aspect of corruption, it takes place in many places such as in politics, business or even in sport. Bribery was defined as corruption in the administration of justice. The modern concept of bribery includes the voluntary gift or receipt of anything in value in order to carry out an official task.

vi. **Police Corruption:** There are numerous forms of Police Corruption. They range from taking small gifts or payment from business people and the populace. In Nigeria, issue of corruption among the police cut across the all ranks. The junior policemen extort money in the open place along the major roads from especially the commercial motorists. To the extent that if these motorists refuse to give them it has resulted to cases of killing of innocent people. The cases of Senior Policemen Corruption are different ranging from misappropriation and embezzlement of police allocation and even collecting bribes from offenders and in some case set them free without prosecuting them in the law court.

Causes of corruption in Nigeria

The major causes of corruption in Nigeria are the following:

i. Weak Government Institutions.
ii. Poor Pay Incentives.
iii. Lack of Openness and Transparency in Public Services.
iv. Absence of key and Corruption Tools.
v. Ineffective Political Processes.
vi. Culture and Acceptance of Corruption by the Populace.
vii. Absence of Effective Political Financing.
viii. Poverty.

ix. Ethnic and Religions Difference.
x. Resource Scramble.

Reasons why the fight against corruption in Nigeria is not working:

i. Insincerity of Government
ii. Pre-bargaining and Negotiation: highly placed officials caught of corrupt practices are made to part with some of their looted funds and are thereafter set free.
iii. Low deterrent: the punitive measures for corruption practices need to be strengthened.
iv. Lack of Virile Political and Social Movements to tackle corruption. The majority of the people are yet to be mobilized in the fight against corruption.
v. Lack of access to public information. A lot of secrecy still pervades Government documents.
vi. Insecurity of Informants. There is need to enact laws to protect informants as well as reward them.
vii. Low public participation in Governance.
viii. Corrupt Electoral System.
ix. Nepotism.
x. Systemic Disorder.
xi. Weak Government Institutions

Corruption in Nigeria undermines democratic institutions, retards economic development and contributes to government instability. Corruption attacks its foundation of democratic institutions by distorting electoral processes, preventing the rule of law and creating bureaucratic quagmires whose only reasons for existence is the soliciting of bribes. Economic development is stunted because outside direct investment is discouraged and small business within the country often find it impossible to overcome the startup costs required because of corruption.

Agencies established for combating corruption in Nigeria

i. ECONOMIC AND FINANCIAL CRIMES COMMISSION (EFCC)

The Economic and Financial Crimes Commission (EFCC) was formed in 2003. It is a Nigeria law enforcement agency that investigates financial crimes such as advance fee fraud (419 fraud), corruption, money laundering etc. It was established partially in response to pressure from the Financial Action Taskforce on money laundering (FATF), which named Nigeria as one of 23 countries non-cooperative in the International Community's efforts to fight money laundering. The Agency has addressed financial corruption by prosecuting and convicting a number of high-profile corrupt individuals in Nigeria.

ii. INDEPENDENT CORRUPT PRACTICES AND OTHER OFFENCES COMMISSION (ICPC)

Independent Corrupt Practices and other related offences commission was inaugurated on September 29, 2000 by the Nigeria President, Chief Olusegun Obasanjo (GCFR). The commission is at the hub of Nigeria's fight against corruption. The main duty of the commission is to receive complaints, investigate and prosecute offenders. Other duties include education and enlightenment of the public about and against corruption and related offences. The commission also has the task of reviewing and modifying the activities of the public bodies, where such practices may aid corruption.

Literature Review

Odey and Ashipun (2013) noted that most of these policies made by the Nigerian government are still altered by the custodian of power and authorities in the state. In the same vein, Ughorojeh (2008) lamented that while all successive governments have been time and care to identify and condemn the evil corruption plaguing the Nigerian economy, not much efforts have been made to combat it. Similarly, Onoge (1983) noted that corruption has persisted in the country despite efforts to rout it out, noting that its rate and scale is increased enormously in the oil boom days. Recently, the Nigerian government also set up strategy or fights against corruption under the leadership of Buhari (Nigerian President) with stringent penalties put in place for offenders. According to Odey and Ashipu (2013), ethics is intrinsically related to morality and it is also related to religion which is a product of people's culture. Thus, considering the intensity of

government efforts in instilling discipline and eradicating corruption in Nigeria in order to transform and re-orientate the cultural values in Nigeria.

In the similar vein, several studies have also shown the negative effect of corruption on economic growth in Nigeria (Enofe, Oriaifoh, Akolo, and Oriaifoh, 2016) and Adenike (2013). Thus, the effect of corruption on economic growth in Nigeria cannot be overemphasized. Also, Guru and Abdul noted that corruption has a significant negative effect on economic growth and development. Adewale (2011) posits that although corruption is a universal phenomenon, its magnitude and effects are more severe and deep-seated in Nigeria.

Theoretical Framework

Modenization Theory and Game Theory was used for this study. One of the theories of corruption is the Modernization theory. In the word of Huntington 1968, one of the theorists of modernization cited by Adefulu (2007) he observed that, the process of economic and political development in modernizing societies tends to breed inequality, political instability and corruption which may be defined simply in terms of the use of public powers to achieve private goals. Modernization theorists explained that, the causes, scale and incidence of corruption and corrupt practices in pre-colonial African states in terms of the logic of patrimonialism, neopatrimonialism, prebendalism, and patro-clientelism and the main proposition common to all these theories of corruption centres on the view that extractive corruption in African (and elsewhere in developing countries) is one of the un-salutary consequences of grafting modern political structure and processes on indigenous socio political structures which function on the basis of old values and obligation.

Game theory

One theory that explains the prevalence of public sector corruption is the game theory. This theory borrows from economic literature and seeks to provide rationales for corrupt decisions by public officials. In particular, Macrae (1982) suggests that corruption is part of a rational calculus and an integral and often deeply rooted method by which people take decisions. In this context, individuals face a "prisoner's dilemma", which "illustrates a conflict between individual and group rationality" (Kuhn, 2019).

Methodology

The study used the descriptive (trends analyses) and analysis of variance (ANOVA) a method for comparing variation between two or more mean measure in different situations and is used when the full sample is divided into several groups based on one or more non-metric independent variables and the dependent variables analyzed are in metric dependent variables. Data used for this study consist of both primary and secondary data. Primary data was collected through the use of oral interview, while secondary data were sourced from; library, internet, journals, and from an international research institute 'transparency International'. The oral interview was used to obtain data on people personal opinions, and also character of the Data.

Discussion of Findings

The long-time reign of corruption in the country has impacted negatively on economic growth in Nigeria and it has also decayed or deteriorated the country's cultural values. The result shows that relatively, corruption ranking has significant difference between countries economic growth, Nigeria ranking is negative due to poor record on Nigeria Correctional Institutions corruption. Other corruption indices such as Corruption Perception Index and Corruption Rank which are presented in an inverse form had positive impact on the growth of the Nigerian economy likewise corruption. This explains that the higher level of Corruption Perspective Index in the country retards or impairs economic growth. The short-run estimates revealed a negative but insignificant speed of adjustment implying that initial deviations (incident by corruption indicators) in Corruption Perspective Index does not significant adjust to the long-run in Nigeria at 5% critical level. However, it converges to long run equilibrium by 0.05% yearly.

The problems of the legislation and action planning as well as community sensitization refers to the best organizational model to combat corruption. The implementation of a risk management system and introduction of investigation and prosecution mechanisms can be effective in reducing corruption. The institutional approaches (EFFC, ICPC, etc) are still the most effective instruments in controlling corruption if they are properly applied without selective judgment.

Conclusions

The study concludes that the long-time reign of corruption in the country has impacted negatively on economic growth in Nigeria. It has also decayed or deteriorated the country's cultural values. The negative impact of corruption on economic growth and the decaying standard of Nigerian cultural values have necessitated the need for value re-orientation in order to bring redemption to the country's national character and image.

Recommendations

1. Nigerian government should advance the use of anti-corruption agencies such as; Independent Corrupt Practices Commission (EFCC) and other Agencies to properly investigate corrupt practices and to apportion appropriate sanctions.
2. There should be re-orientation process in education system in Nigeria that would lead to redemption or retrieval and salvaging or restoring of the country's national character and image.
3. There should be Correctional Staff education on the implication of corruption.
4. The enforcement mechanisms and probability of being caught should be increased to discourage corrupt habit.
5. Therefore, combined effort by the citizen and government is required for sustainable economy through high Corruption Perspective Index which in turn will encourage future investors.
6. Government should be proactive on over side that lead to low Corruption Perception Index and also be ready to be faced with the challenges to increase transparency and accountability in all government activities.

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