

POLICE CORRUPTION AND THE STATE: PREVALENCE AND CONSEQUENCES

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ABSTRACT: *Corruption is endemic social problem in Nigerian society; it is particularly objectionable in Nigeria Police Force. This study x-ray prevalence and consequences of corruption in Nigeria Police Force. It predominantly utilized secondary data. This study has identified that, in Nigeria, the police force has become an epitome of all multi corrupt and fraudulent schemes which constitute a stumbling block to the effective administration of justice and efficient maintenance of law and order in Nigeria and have soiled the image of the force. Thus, the study recommends fundamental restructuring, reorganization, total war against police graft to re-invent a new image for the police and professionalization through further training and re-education in the force which would hopefully launch the Nigerian Police Force on the positive side of history.*

KEYWORDS: Corruption, Police, Nigeria Police Force, Security, Justice, Law enforcement, Social problem

INTRODUCTION

The Police is one of the most important institutions in the society. They are entrusted with the right to protect the citizen even when that involves the use of violence. More is expected of the Police than most modern professional jobs. They are expected to be brave and not show any human emotion like fear, shock, surprise, etc even in the face of serious tragedies like death, deformity, etc. Undoubtedly, peace, safety and security are both necessary and indispensable requirements for development and the attainment of good quality of life for any human society. They provide the requisite enabling environment for citizens to live and work towards social, economic and political development of the society (Groenewald & Peake, 2004). The significance of peace, safety and security to mankind cannot be over-emphasized as the socio-economic and political development of any society depends on the security system available in such society. By the same token, their absence stifles the human capacity to develop and heavily compromises the development and quality of life of both individuals and society. Furthermore, insecurity impacts negatively on all citizens through losses of property, life and limb, or through loss of confidence from fear of violence. It is against this backdrop that the delivery of safety and security is considered a justifiable public good and the very essence of the state (Lubuva, 2004). Human safety and security are indeed human rights having a value of their own and serving an instrumental function in the construction of human contentment and prosperity (Odinkalu 2005).

Over the ages, emerging forms of human, social and political organization have stimulated a necessity for the protection and safety of the individual, family, community and the nation. The need for human security therefore pervades the entire fabrics of human nature and existence,

and is at the cornerstone of human and societal development. Hence, human beings and societies since the beginning of time have developed measures to safeguard themselves and their properties against threat. Some of these measures predate the institutionalization of the public police and other uniformed institutions. In the present age, state remains dominant in the security sector; as such, the legitimacy and right of any state over the people can best be upheld only to the extent to which it can guarantee the protection of life and property of its citizens. Therefore, one of the primary duties of the state is to guarantee the peace, safety and security of the citizens, including their protection from social problems.

Modern societies are characterized by what can be termed as a state-organized specialist police organization or formal police force. The police are responsible for the enforcement of criminal law, prevention of crime, detection, apprehension, investigation, detention and prosecution of crime suspects.

The effective sustenance of the Nigerian society hinged on an efficient law enforcement process, the role of the police in ensuring social justice, peace and harmony cannot be over-emphasized. However, despite the fact that in the administration of justice in Nigeria, the police have the sweeping powers of arrest and prosecution of offenders, the Nigerian State recently has consistently witnessed unquantifiable measure of terror, lawlessness, kidnapping, ethno-religious conflict, social disorder, armed robbery, and senseless vindictive assassinations whose causes and perpetrators have defiled security scrutiny and apprehension. This ugly incidence brings the efficiency and effectiveness of the Nigerian Police to questioning and disrepute. Thus, one cannot but agree with the position that Nigeria Police Force is a victim of convoluted systemic corruption which has become pervasive and cancerous in the country's public service. This study x-ray prevalence and consequences of corruption in Nigeria Police Force.

CONCEPTUALIZING POLICE AND CORRUPTION

Police refers to a particular kind of social institution with specific social functions. It refers to a legal institution or state agency charged primarily with the enforcement of criminal law and the maintenance of order. The police are agents of the state, established for the maintenance of order and enforcement of law. From the knowledge of history, the Police have always performed two central functions, namely, the enforcement and maintenance of law and order. Apart from enforcing laws, the Police is "not only to monitor but also to discharge and destroy challenges to the existing order of things" (Bowden, 1978: 14). Thus, where there is crisis, the Police are deployed as a "buffer between elites and masses and perform the essential holding operations against the malcontents until military force could be applied in a punitive and salutary manner" (Bowden, 1978: 19). The Police, therefore, are supposed to help contain crimes as much as possible.

According to Martin (1990:6)

Police work involves a variety of tasks and responsibilities. Officers are expected to prevent crime, protect life and property, enforce the laws, maintain peace and public order, and provide a wide range of services to citizens...A common trend unifying these diverse activities, however, is that potential for violence and the need and right to use coercive means in order to establish social control (Bitner, 1970) Understanding that the police act as the representatives

of the coercive potential of the state and the legitimate users of force helps explain a number of their attitudes and characteristics.

Modern police forces are assigned the primary duty of law enforcement and order maintenance. But the content of law and what constitute order vary widely across time and nations, and are determined by the political economy of societies. The concrete roles played by the police are defined by law and conception of order in accordance with the political and economic interests of the dominant or ruling groups in society. Robert Reiner (1993) stresses this point: The police are the specialist carriers of the state's bedrock power: the monopoly of legitimate use of force. How and for what this is used speaks to the very heart of the condition of a political order. The danger of abuse, on behalf of particular partisan interests or the police themselves are clear and daunting.

Police are organized to defend and preserve the interests of the dominant groups and classes in society. Consequently, the significance of police as either facilitators or inhibitors of pro-poor change initiatives will depend on the character of their society. In a totalitarian and economically inequitable society, police role will be more to defend the status quo of political oppression and economic injustice. In contrast, in a democratic society the police are more likely to provide services that will enhance development and democracy (Alemika 1993). However, by maintaining order and enforcing law in consonance with the principles and practices of a democratic society, police will foster entrepreneurial initiative and public safety, which are critical to development and human cooperation in general. It is in these respects that the police can make positive contributions towards pro-poor change initiatives. Some of the major concerns of the poor apart from material deprivations and lack of access to services are their vulnerability to insecurity, crime, police brutality and denial of due process rights (World Development Report 2000/2001).

Therefore, like the state, the character, roles and priority of police forces are determined by the political and economic structures of their nations. Similarly, the form and activities of policing by state and non-state agencies are also dependent on the character and composition of the political economy of society. The tasks of police are dictated by the contradictions and conflict of interests among groups and classes in society which if not regulated can threaten the preservation of the prevailing social order or status quo. In Nigeria, police are described more in negative terms by major segments of the population.

The word corruption is derived from Latin word "corruptum" which means to "spoil". Corruption is conventionally understood, and referred to, as the private wealth seeking behaviour of someone who represents the state and the public authority. It is the misuse of public resources by public officials, for private gains. In defining corruption, Amuwo (2005) and Obayelu (2007) consider it as the exploitation of public position, resources and power for private gain. Ogunidiya (2009: 5) define corruption as "the betrayal of public trust for individual or sectional gain." Obayelu went further to identify corruption as "efforts to secure wealth or power through illegal means for private gain at public expense; or a misuse of power for private benefit."

The Encyclopedia Americana defines corruption as "the unsanctioned use of public/political resources and/or goods for non-public ends." The Transparency International (1996) sees

corruption as “misuse of public power for private profit”. Huntington, (1989) sees it as “behavior of public officials which deviates from accepted norms in order to serve private ends”. Umo, (1993) sees it as the unauthorized use of public resources for private gain that is private enrichment through the use of one’s official position. The most popular and simplest definition of corruption is the one used by the World Bank “The abuse of public power for private benefit” (Tanzi, 1998). Another widely used description is that corruption is a transaction between private and public sector actors through which collective goods are illegitimately converted into private-regarding payoffs (Heidenheimer et al. 1989). Furthermore, the Black’s Law Dictionary defines Corruption as:

An art done with the intent to give some advantage inconsistent with official duty and rights of others, the act of an official or fiduciary person who unlawfully and wrongfully uses his station or character to procure some benefit for himself or for another person contrary to duty and the right of others (Agbakor,2010:52) .The foregoing definitions would mean that any wrong or departure from what is pure or correct is corrupt. Corruption is the gain of money, material/financial resources, contract, employment, status, fame, power or physiological satisfaction through illegal and immoral practices such as bribery, fraud, abuse of office robbery et cetera (Olusoga, 1981:17). Similarly, Igwe (1991:51) defines corruption as:

Conscienceless promptitude to use power authoritatively for selfish, repressive and oppressive purposes, unpatriotic and unjustifiable political discrimination and victimization, scandalous politicking on the corridors of power, unhealthy and despicable election malpractices as well as political arrogance and bitterness; readiness to sacrifice all values no matter how sacrosanct or strategic in the useless worship of and made rush for money, wealth, scandalous practices of diverting public funds into private coffers and of inflating government contracts and other business deals in the hole of eventual kick-backs.

Corruption covers a broad spectrum of activities ranging from fraud, theft, embezzlement, bribery, extortion, abuse of discretion to favouritism and nepotism. Conclusively, corruption can be viewed as the deliberate violation of ethnics and codes that to govern and guide the behaviour of a particular profession, public service operations, private transaction, private and corporate contract agreements that amounts to personal gains at the detriment of others, the system or the society at large. Corruption is by far the greatest problem of governance in Nigeria which threatens the stability and socio-economic development of the country. It has eaten-deep into the fabrics of the Nigerian society that hardly does a day pass without corruption being discussed. Adetoro (2012) asserts that virtually all the Nigerian ministries and agencies are enmeshed in corrupt practices with the police ranked as the most corrupt among them.

THE NIGERIA POLICE FORCE: STATUTORY FUNCTIONS

The successive Nigerian Constitutions since 1979 have provided for the existence of the Nigeria Police Force alone. The 1999 Constitution had provisions on the Nigeria Police Force, Police Council and the Police Service Commission. Section 214(1) of the 1999 Constitution provided that: There shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provisions of this section, no other police force shall be established for the Federation or any part thereof.

The composition, establishment and operational control of the Police Force are clearly stated in the Constitutions of the Federal Republic of Nigeria, 1979, 1989 and 1999 (1999 CFRN: 214-216). These provisions which are reinforced in the Police Act and Regulations (LFN, 1990: 359) classified the duties of the Police to include: prevention and detection of crime, apprehension of offenders, preservation of law and order, protection of life and property, enforcement of all laws and regulations with which they are directly charged and the performance of such military duties within or without Nigeria as may be required of them by, or under the authority of the Act or any other Act. The aforesaid functions are also endorsed by the Criminal Procedure Act (CPA) and Criminal Procedure Code. The section 4 of the Police Act provides that:

The police shall be employed for the prevention and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of life and property and the due enforcement of all laws and regulations with which they are charged, and shall perform such military duties within or without Nigeria as may be required ... (emphasis added).

Members of the Nigeria Police Force have statutory powers to investigate crimes, to apprehend offenders, to interrogate and prosecute suspects, to grant bail to suspects pending completion of investigation or prior to court arraignment, to serve summons, and to regulate or disperse processions and assemblies. They are also empowered to search and seize properties suspected to be stolen or associated with crime, and “to take and record for purposes of identification, the measurements, photographs and fingerprint impressions of all persons...”, in their custody (Sections 19-26 of Police Act).

The Nigeria Police remains the most discussed of all security outfits in Nigeria. And its corporate image has never been so called to question as it is in recent time. Thus, the Nigerian Police has been various criticized by both the general public and public officials in the exercise of their duties and responsibilities. And one of the vices the police are accused of is corruption which undermine the effectively and efficiently of their functions.

PROBLEMS OF NIGERIA POLICE FORCE

According to the following scholars, (Tamuno 1993, Black 1980, Etakibueche 1992) the problems of Nigeria Police include;

1. The inherent corrupt tendency of its rank and file. Allegations are rife of police officers demanding bribes from offenders, allegations of the police demanding money from traffic offenders, etc. more so, denting the image of the force prevents it from efficiently performing its duties.
2. The failure of Nigerians and the persistent reluctance of the public to report crimes no doubt contribute to the inefficiency of the force. Many people are afraid that an honest citizen who reports a crime, instead of being praised, is at times turned into a suspect. Because of the attendant repercussions regarding this, many citizens may watch a crime taking place and yet turn a blind eye to it.
3. Another shortcoming of the force is lack of sophisticated equipment to fight crime. Police lack a workable and efficient communication network. The walkie-talkie, a pre-requisite for an efficient force, is lacking. A mobile system of transportation is also lacking. And some of the operational guns that the police carry are inadequate and clearly out-model or obsolete.

4. Inadequate manpower is yet another problem. The present number of police officers is far less than the United Nations recommendation of one police man to about 1,500 citizens. Insufficient man power is therefore a big threat to the performance of the force. The present police strength of 370,000 is far less than the optimum size required to effectively police a large and complex nation like Nigeria with about 170 million people (Olubode, 2012).
5. The low educational level of some recruits is baffling. It is difficult for a mere illiterate to perform duties that need intelligence, a legal mind and the ability to grasp and analyse contradictory and conflicting arguments.
6. The tendency for the police to be politicised and thus rendered impotent especially at this civilian regimes has dented the image of the force. This is no doubt, prevented it from efficiently performing its role.

PREVALENCE OF CORRUPTION IN NIGERIA POLICE FORCE

Alderson (1979) observed that police corruption operates at two levels: at the level of the individual dishonest police officer, and at the group or departmental level. At the individual level, it can be 'lateral'—among the peer group only, while at the departmental level it can be 'vertical'—in which case it includes senior officers as well. This aptly describes the situation in Nigeria. Nigerians often assume that corruption is, more or less, synonymous with the police. According to a report, the perception of public sector corruption in Nigeria is grave and a strong grudge against many public institutions runs deep in the minds of many Nigerians (ACBF, 2007). A product of a research study where Nigerians were asked to comment on their view of corruption in the public sector, findings showed that the Nigerian police force was judged the most corrupt national institution in Nigeria.

In another study of the integrity of key national public institutions in Nigeria, the level of integrity of institutions surveyed was abysmally low (ACBF, 2007). These institutions included the executive, parliament, the office of the auditor-general, the police, the judiciary and electoral commissions. The worst culprit again appeared to be the Nigerian police force, which received the most negative ratings by all groups of concerned stakeholders: public officials, the private sector, and households.

Corruption is apparently unwholesome plague that has massively and grievously gripped the Nigeria Police Force. This menace is plausibly institutionalized among and between members of the police force. It has eaten extremely in to the soul of the organization and truly has become the nature of the Nigerian policeman. A noteworthy also is the recruitment exercise which has become a money making venture for those in charge. It is alleged that people pay as bribe as ₦500, 000.00 and above before getting entry into the Nigeria Police Force.

When it comes to salary increment, promotion, transfer or any due incentives, one has to 'moisture the ground' for those concern before acquiring any of the above entitlements. Police pay money to their superior authorities to be posted where they take bribe. This influences bribery and corruption in the police force. Within the police, protégés are appointed to head the departments they are not qualified to hold, while career-minded officers are posted to police "Siberia" for not "playing ball". The dismissed IG, Tafa Balogun, is said to have promoted his driver (whom he uses as front in his extortion of money from state commissioners of police) to Chief Security Officer (CSO), while some state commissioners were redeployed for not

bringing in enough kickbacks (The News, 2003). In terms of arrest and prosecution, Police are known to demand money from the public when they go for arrests and even hide criminal files to extort money. Police also, hid and delay the file of suspects and bring them out when offered bribe. In his analysis of problems of the police, the former Minister of Police Affairs, David Jemibewon, attributed the phenomenon of “Nigerian factor” as the reason why the Nigeria Police does not perform creditably. This phenomenon among others encompasses the factors mentioned above. In his analogy, he stated that:

Here in Nigeria, police arrests a man (and) before you know it, one Alhaji, one Reverend or one Chief will be phoning. The offender himself will prostrate on the road, or the affluent one will bribe his way... (The Guardian, June 20, 2000). Police take bribery openly at any place they mount check point. The collection of ₦20.00 from motorists at road blocks is well known across the nation. On the express road, at each check point police take money from motorists. Drivers either give money or face delay and questioning, as such they gave the money happily to the police provided the police will not look at the vehicle documents to know whether the vehicle particulars are current/valid or not. The action is open and not hidden that one will feel that bribery is legalized in the country; as it has become an ‘institutional’ or rather a ‘constitutional’ open corrupt practice.

The head of the police force are involved in multi fraud scheme, the dismissal of Tafa Balogun, the IG on January 17, 2005 on corruption-laden charges which has brought out many of his bloody deals to the open leaves much to be desired in terms of police image. It is alleged (The Punch, 2005) that the former IG opened fictitious bank accounts into which bribe money and police service money were laundered. According to The Punch, the account names and numbers into which the various sums were traced are: Olatrade Nigeria Limited, account number: 02201191; Renovations Construction Limited: 02201473; Caledonia Telecoms: 02201472; Yeboa Investment Limited: 02201475; Yeboa Nigeria Limited: 02201474; Aworo Nigeria Limited: 02201278; Inspector General’s Imprest Account: 02201436. A huge chunk of the N1.4 billion, which the Independent National Electoral Commission (INEC) paid to the police for security during the 2003 general elections, somehow found its way into the account of Olatrade from the IG’s Imprest Account. On the whole, the top cop ran twelve different accounts in Fountain Trust Bank in Lagos (This Day, 2005).

The former IG who an assistant Inspector General (AIG) described as an “an epitome of corruption” (Daily Independent, 2005), is said to have \$150 million in Swiss bank accounts, \$200 million in London, and N500 million in various denominations in Nigeria. The same source quotes the Economic and Financial Crimes Commission (EFCC) as confirming that about N1.9 billion has so far been recovered from him resulting in the government impounding his travel passport as well as that of his wife, and planted 24 hour surveillance around the ex-IG.

Additionally, the ex-IG is fingered in several criminal payoffs by especially Peoples Democratic Party (PDP) state governors during the 2003 election, and by arrested criminals to buy immediate release. The different payoff amounts range from N15 million to N350 million. He is also implicated in the payoff leading to the botched kidnap attempt of the controversial Anambra State governor, Dr. Chris Ngige on March 10, 2003 (The News, 2003). The late AIG, Rapheal Ige who spearheaded the Anambra coup was said to have demanded and received his

own N15 million cut from the IG before embarking on the risky project. With a month away from retiring, the IG assured Ige that the maximum penalty if caught will be immediate retirement, without any criminal prosecution. Thus multi corrupt scheme in Nigeria police force has both entangled the entire effectiveness and efficiency of statutory function of the organization and deepened its vice-like grip on the society.

THE IMPLICATION OF CORRUPTION IN NIGERIA POLICE FORCE

The police whose duty it is to provide security have consistently admitted that they are handicapped because of a combination of factors among which are: lack of resources, poor government support and poor conditions of service resulting in ill-motivated, ill-trained and ill-equipped workforce (NPF, 2008). It is arguable that, the poor performance of the Nigeria police due to these factors is resultant effects of corruption. Police corruption is a gangrene which has eaten deep into the fabrics of law enforcement apparatus in Nigeria as in other. Allegations of police corruption erupt on daily basis. These come in various forms: extortion from motorists at illegally mounted road blocks, collection of monetary gratification (bribery) in order to alter justice in favour of the highest bidder. This cankerworm had deeply affected the social image of the Nigeria Police perceived as a corrupt law enforcement agency.

On this note Nigeria police have not lived to the expectations of the general public; they have been pro-government right from the colonial time. The presence of the police in any place in Nigerian society, portend sorrow, agony, ill-wind and no one ever sees them as friends to the public. Police corruption implies the manipulation of security institution and the rules of procedure, for private benefit, and therefore it distorts the institutions. Police corruption is a deviation from the rational-legal values and principles of the agency, and leads to institutional decay. "criminalization" of the force becomes the consequence of widespread corruption in Nigeria police force.

Systemic corruption was long held to be a cultural, moral and historical problem in Nigeria police force has clearly become a political and institutional problem as well. With the heads of the police involved in multi corrupt scheme in Nigeria, one can see why the Nigeria police cannot be effective in law enforcement. When the head is rotten, the rot infects all rank and file of the police.

The effect of corruption on police is that corruption renders the force incapacitated and impotent. Corruption is destructive to the police's ability to prevent and detect crime, apprehension of offenders and preservation of law and order for national development; and consequently to its ability to maintain orders and enforce law which are critical to development and human cooperation in general.

Due to corruption, rules and regulations are manipulated and operated in a confusing and impenetrable manner in the implementation end to enable police to collect bribes and other personal advantages, and as the police officers are preoccupied with other tasks, insecurity hampers investments, peace security and safety shrink further and its ability to protect life and property is shattered.

Besides, few wealthy citizens, commercial businesses (local and international) and various interest groups (formal and informal, modern and traditional) are able to buy justice cheaply, buy exceptions, privileges, immunity and impunity through the use of kickbacks and mafia methods vis-à-vis, using police force and consequently the development potential of the nation is being undermined.

More so, police corruption has led to a morbid and porous security situation resulting in the wanton destruction of lives and property as currently initiated by the Boko Haram terror envoys and a cortege of criminal sociopaths such as armed robbers, carjackers, kidnappers, ritual killers and assassins in the country. In a related note, Alemika (1999:10) argues that: Police corruption elicits serious concern for three significant reasons. First, the police are expected to be moral as well as law enforcement agents. If the police which are employed to prevent and detect corruption, and bring culprits to judgment are themselves stinkingly corrupt, the society's crusade against corruption is guaranteed to fail. Second, the police exercise powers that have profound implications for the life, property, safety and freedoms of citizens. Where the exercise of such powers is contaminated by corrupt motives, the citizens feel exceedingly vulnerable, insecure and powerless. Third, police corruption is often tantamount to extortion, a form of robbery or demand with force. These dimensions of police corruption explain why the public is threatened by such practices ... The most significant source of negative police-community relations is corruption. Corrupt motive is also a source of police brutality. In many circumstances, police brutality is a means of coercing individuals to succumb to demands for bribes, and at some other time, it is punishment for not cooperating with the police in their demand for gratification (Alemika 1999: 10).

In a nutshell therefore over the years, Nigeria police has established the dubious reputation as a security agency where no justice gets done until money changes hand.

CONCLUSION AND RECOMMENDATIONS

The practice of corruption by the Nigeria Police Force which is on the increase is a social problem because since the go unabated. It appears that corruption is part of the police force dating from the colonial masters the growth of corruption is continuous and steady. Police involved in corrupt deals and where ever there is police in Nigeria there is corruption. Therefore, corruption constitutes a stumbling block to the effective administration of justice and efficient maintenance of law and order in Nigeria. In the light of this situation, fundamental restructuring and reorganization and professionalize in the force which would hopefully launch the Nigerian Police Force on the positive side of history. Corruption gave the Nigeria Police Force a poor image in the Nigerian society, to re-invent a new image for the police, total war should be declared against police graft as a starting point in the professionalization of the force. Efforts should be made to fully professionalize the Police in order to enable it discharge its civic duties to the society. Full professionalism would be achieved through further training and re-education.

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