

## **CORRUPTION AND THE MISUSE OF PUBLIC OFFICE IN THE COMMONWEALTH: THE PREVENTIVE ROLE OF LAW TEACHERS IN NIGERIA AND SOUTH AFRICA**

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### **Abstract**

There is a global concern about the scourge of corruption and misuse of public office which has ravaged and is still ravaging countries within the Commonwealth. The devastating effect of corruption has brought about increased public interest in the form of scholarly articles and public policy research on the subject, which needs to be continually appraised and taught thereby creating an avenue for the relevance of law teachers in the fight against corruption and misuse of public office. The paper observes that corruption undermines democratic institutions, affects economic growth and development. The paper focuses on Nigeria and South Africa and relies on these countries specific initiatives and experience to discuss the subject matter in the Commonwealth. In the bid to tackle the scourge of corruption, the paper posits that law teachers have a role to play; this can be achieved through curriculum development, revised teaching method, research and publications. By introducing the concept of anti-corruption mechanisms in universities, it is hoped that students will understand, accept and live up to the standard of the virtues of accountability and transparency in public service.

**Keywords:** Corruption, Misuse of Public office, Law Teachers and the Commonwealth

'In too many countries, people are deprived of their most basic needs and go to bed hungry every night because of corruption, while the powerful and corrupt enjoy lavish lifestyles with impunity.'

(Ugaz (2016))

### **Introduction**

There is a global concern about the scourge of corruption and misuse of public office which has ravaged and is still ravaging both developed and developing countries, public and private sectors, including non-profit and charitable organisations (Sewpersadh et al, (2017)) Globally, corruption and misuse of public office inhibit national and economic development, undermines the rule of law and good governance; brings about violation of economic and social rights leads to insecurity and dims the future of nations (Komalasari et al (2015)) .The plague is so widespread to the extent that the term corruption has become a cliché on every observer's list as a huge factor which

inhibits sustainable development (Pillay (2004)) it is endemic in present-day South Africa (Robertson et al (2016)) and it is a clog in the wheel of progress in Nigeria (Ijewereme(2015)).

Corruption is universally disapproved yet universally prevalent. In private organisations, there are usually procedures to ensure that employees are not bribed, however, they use bribes in obtaining contracts from government (Hess et al (2000)). This paradox continues even though the 1990s saw corruption become one of the most important policy issues in the international economy. This led to the establishment of Transparency International (TI) which was first launched in 1995. TI helps to put the issue of corruption on the international policy agenda through its Corruption Perception Index (CPI). Looking at the TI Corruption Perceptions Index 2016, out of 176 countries on the index, Nigeria ranks number 136 while South Africa ranks 63. Of the commonwealth countries on the Index, Uganda ranks lowest on 151 while New Zealand ranks highest on number one (1). (Transparency International, 2016). TI has led the way in attempting to determine which countries are the homes of bribe-takers, that is, which countries have public officials who are abusing their position for their own personal profit.

Nigeria and South Africa have signed and ratified international and regional anti-corruption instruments such as the United Nations Convention Against Corruption (UNCAC, 2015) Organisation for Economic Cooperation and Development Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD 1999, SA only) and the African Union Convention on Preventing and Combating Corruption (African union). These countries have also enacted anti-corruption legislation and policies as part of their domestic anti-corruption efforts. For instance, Nigeria's Economic and Financial Crimes Commission Establishment Act 2004, and the Corrupt Practices and other Related Offences Act 2000, established anti-corruption agencies and criminalises acts of corruption. There is also the Criminal Code Act, (CAP C38 LFN, 2004). In South Africa, there is the Prevention and Combating of Corrupt Activities Act (PCCAA) 12 of 2004 which is a principal legislation combating and criminalising acts of corruption. In addition, there exist campaigns, scholarly articles, and codes by governments, individuals, public and private sector, on the need to curb the corruption menace to the barest minimum. However, all these have proved unproductive in the face of the level of corruption especially in Nigeria.

Considering that Nigeria and South Africa are at par on economic development (worldbank.org) members of the Commonwealth, and both being common law jurisdictions, looking at South Africa's position as evidenced from the CP Index, (Transparency International, 2016) it therefore becomes necessary to focus on these two countries within the Commonwealth in determining the preventive role of law teachers in the fight against corruption.

The paper examines the causes and effects of corruption. It aims to bring to the fore, the preventive role of law teachers in the fight against corruption. The paper is therefore divided into

three parts. Part one which is inclusive of this introduction, examines the concept of corruption and misuse of office by defining the terms corruption and misuse of public office, the causes and effects of corruption. Part two looks at combating corruption through education with focus on curriculum development and teaching methods. Part three proffers recommendation and concludes the paper.

## Part One

### Definition of Terms

#### Corruption and Misuse of Public office

Although the concept of corruption cuts across geographical and political boundaries, the term is difficult to define to cover the broad range of human actions. However, corruption is generally not difficult to recognise when observed. The Black's Law Dictionary, sees corruption as:

“Depravity, perversion, or taint; an impairment of integrity, virtue, or moral principle; especially the impairment of a public official's duties by bribery, with intent to give some advantage inconsistent with official duty...”

(Garner2014: 422)

The World Bank sees corruption as the abuse of public office for private gains, as well as using public office for personal benefit even if no bribery occurs, through patronage and nepotism; it includes the theft of state assets or the diversion of state revenues ([worldbank.org](http://worldbank.org) 1997).

In Nigeria, the Criminal Code Act sees corruption as where any public official corruptly asks for, receives or obtains any property or benefit of any kind for himself or any other person; or on account of anything already done or omitted (section 98.) By focusing on public officers alone, this definition is not comprehensive as corruption also occurs in the private sector.

In South Africa, corruption is said to occur ‘where anybody directly or indirectly accepts, agrees or offers to accept any gratification from any other person, whether for the benefit of himself or herself or for the benefit of another person’ (section 3 PCCAA, 2004). This definition suggests that corruption can occur both in the public and private sector.

The paper argues that corruption is not restricted to only the exchange of money through bribery. For example corruption is identifiable when a public employee claims to be sick but goes on vacation. A student who sits for an exam for another student is also a form of corruption or a teacher who induces a student to have sex with him in exchange for a good grade, amounts to corruption. Furthermore, the abuse of public power may not necessarily be for personal benefit but for the advantage of one's party, class, tribe, friends, family, and so on as witnessed in the Petrobras scandal in Brazil (Financial times (2016)).

From the explored definitions, the paper sees corruption as dishonesty, exploitation or the misuse of a public office, malpractice, misconduct by a person in authority whether in a public or private sector, directly or indirectly for personal gain or unjust enrichment, without following due process, in order to make a private gain. Flowing from the definitions above, it can be seen that corruption cuts across various strata. Suffice to state that corruption and misuse of public office can be used interchangeably as both aim at making private gains occasioned by fraudulent practices or malpractice.

### **Causes of Corruption**

The causes of corruption are always contextual, systematic, rooted in a country's policies, bureaucratic traditions, political development, and social history. Corruption also tends to flourish when institutions are weak (Word Bank 1997). One major area where corruption is manifest is in the area of procurement and execution of contracts (Ijewereme (2015), Mubangizi (2017)). The paper identifies the following as some of the causes of corruption:

#### **(a) Dysfunctional Legal System**

Lack of a strong legal system encourages corruption. Where there are no clear avenues for the implementation of existing laws, accountability becomes difficult and this may lead to the misuse of public office and corruption (Ayua (2002)). It could be said that public and private sector rules that fail to curb corruption may provide impetus or even encouragement for unethical conduct including within the legal profession itself (Robertson et al (2016)). This makes a fortified legal system very vital as it will give rise to transparency and accountability. The more administrators are held accountable for their actions, the less likely it is for corruption to thrive. A system of checks and balances is essential in order to prevent corruption in the various arms of government.

Additionally, some of our laws are obsolete, such that when a person is found guilty of acts of corruption, the punishment does not usually serve its deterrent function as it is often disproportionate with the magnitude of the offence committed. In Nigeria for example, the punishment for acts of corruption is 7 years imprisonment (Section 92 (1) (b) of the Criminal Code Act) and the ICPC Act while in South Africa, the punishment ranges from imprisonment for life to imprisonment for a period not exceeding three years. (Section 26, PCCAA). The paper argues that the non-commensurate nature arguably encourages other people to engage in corrupt practices.

#### **(b) Lack of ethics in the society**

Corruption becomes prevalent where there is lack of moral and ethical standard in the society or lack of rule following (Pailly (2017)); where procurement rules and regulations are scarcely adhered to (Section 217, Constitution of SA). For example, in South Africa, one of the charges against the president is allegation of impropriety and unethical conduct relating to the

installation and implementation of the security measures by the department of public works at and in respect of the private residence of President Zuma at Nkandla. The key violation in this regard is the failure to follow the processes outlined in the Cabinet Policy of 2003, and laws relating to procurement in South-Africa such as section 217 of the Constitution of South Africa. (Nkandla Report, 2014). In Nigeria's Public Procurement Act, 2007, public servants are required to uphold ethical standard in procurement and award of contracts.

**(c) Lack of political will to tackle corruption:**

In societies where public-sector corruption is endemic, it is reasonable to suspect that it touches the highest levels of government, and that many senior office-holders will not be motivated to work against it. (Shahet al (2004)). The private gains cause the benefitting government officials to pay lip service to the various anti-corruption crusades.

**Effects of Corruption**

Non-adherence to ethical standards in dispensation of duty affects human development by lowering economic growth and incentives to invest (Akca (2006)). According to the World Bank, corruption 'circumvents public policies' and affects human development as a core reflection of socio-economic growth in any society, adversely. This may also lead to an impediment to economic development as corruption reduces investment, and creates distorted composition of government expenditure (Ayua (2002)). All of these weaken and devastate the economy.

Non- accountability in public service brings about loss of government revenue which brings about deterioration of public infrastructure to the extent that it can hardly support any meaningful economic growth. Most times, funds obtained through corrupt practices are utilised in foreign countries. This led to the UK's Unexplained Wealth Order which aids law enforcement to investigate the source of money used in acquiring of expensive properties in the UK, and if it is found to be corrupt money it will be returned to the country or from those, from whom it has been stolen. ([www.transparency.org](http://www.transparency.org), 2017). The funds become inaccessible for use in the country's internal development causing the economy to deteriorate and become over-burdened with external debt while the stashed loot enriches the economy of countries where the funds are stashed.

Corruption generates political instability which may occur when the citizens mistrust the government of the day. Mistrust may arise as a result of several actions by the government. In adverse cases, this may lead to impeachment of the President or a Governor. For instance the Brazilian President was impeached for hiding the country's declining economic situation during an election year in order to win re-election in 2014. The non-adherence to ethical and moral standard on the part of the President brought about massive protest across the country leading

to some citizens calling for the return of military rule (businessinsider.com, August 31, 2016). This is clear evidence that acts of corruption bring about tension and political instability.

## **Part Two**

### **Combating Corruption: Through Education: Role of Law Teachers**

#### **The Law Teacher**

Corruption is more or less a learnt concept that is imbibed from the anomaly in the workings of systems coupled with ethical and moral failure. This conclusion is arrived at from the causes of corruption and the effect it has on the society as alluded to in the paper. To ensure that the system is as near perfect as possible through unlearning the corrupt practice imbibed over the years, education becomes imperative.

Law teachers have a responsibility to remind law students that by studying law they have the power to transform thoughts, policies, lives, contribute to the betterment of society and ultimately to social change (Fourie (2016)). This may be achievable through the teaching of legal ethics as the values and philosophies that law lecturers instil in law students can contribute to the legal order of the future. If legal educationalists accept the responsibility to ensure that law students or law graduates learn about their legal ethical obligations, this implies a reasonable understanding of 'ethical legal practice' on the part of educators themselves (Robertson et al 2016: 348). However, in the faculties of law of countries in view, anti-corruption mechanisms such as the teaching of legal ethics are not included in the curriculum.

#### **The Role of Law Teachers in Preventing Corruption**

##### ***Curriculum Development:***

*i) Teaching of legal ethics.*

Legal ethics can be defined as 'standards of professional conduct applicable to members of the legal profession within a given jurisdiction' and law students belong to the legal profession. (Garner, 2014: 1031)

In Nigeria, the rules of professional ethics for lawyers are provided for in the Rules of Professional conducts of Legal Practitioners (RPC 2007) made pursuant to Section 12(4) Legal Practitioners Act, while in South Africa, this is provided for under the Uniform Rules of Professional Conduct, 2012. These rules set out the ethics of the legal profession as applicable in both countries. However, in recent times, it has been observed that lawyers do not give heed to professional ethics (Agbabaku et al, (n.d)). This may be attributed to the non-teaching of legal ethics and non-familiarisation with legal etiquettes in the LLB degree level in both jurisdictions. The paper will now consider how legal ethics is being taught in both jurisdictions.

- *South Africa(SA)*

Suffice to state that the LL.B degree in South Africa is for a period of four (4) years which is thought now to be problematic and inadequate in its preparation for legal practice (Robertson et al, (2016)). Legal ethics is not traditionally taught in the LL.B degree, students who want to be admitted into legal practice after the degree are only exposed to further training in legal ethical practice during the vocational training (Van Zyl & et al (2016)). This is because only legal practitioners who must exhibit integrity, reliability and honesty are deemed fit and proper to be admitted to the bar. For one to be fit and proper, he must pay allegiance to the rules of professional ethics for lawyers (Van Zyl & et al 2016) However, according to Robinson et al (2016), some universities in SA have begun the incorporation of legal ethics into legal skills/practice courses, elective courses or clinical law courses while the distance learning institution and University of South Africa teach legal ethics as a compulsory stand- alone course.

Unfortunately, those who decide to become law lecturers after the LL.B degree in SA, are not trained in legal ethics; it raises the question on how they would impart the students on the need for ethical conduct (Van Zyl et al (2016)). Given this spate of concern, and the perception that improper or unethical lawyerly conduct is adversely impacting South Africa's democratic institutions, (Robertson et al (2016)) it is not surprising that calls are growing for a demonstrably improved legal ethics education in the preparatory stages for legal practice.

- *Nigeria*

In Nigeria, the LL.B degree is for a period of five (5) years. However, legal /professional ethics is not taught in the LL.B level (Nigerian Universities Commission NUC). The NUC benchmark is a minimum standard for Nigerian universities. Professional legal ethics is only taught and examined for aspirants to the Nigerian bar during the one year vocational training in the Nigerian Law School (NLS). In the NLS, professional ethics and legal practice are undertaken as a stand-alone course, employing the lecture based method whereby the focus is usually on the general responsibilities of a lawyer (Rule 1, RPC 2007) duties of the lawyer to the client, (Rules 14-25), to the court (Rules 30-38) in order to avoid conflict of interest and the lawyers relationship with general public.

The lecture based method requires, at the outset, the development of a statement of specific learning outcomes or standards to guide the kind and quality of teaching required (Robertson et al (2016)). Furthermore, the teacher may prepare suitable tutorial questions that allow the students ownership of their ethical development (Whitecross, (2016)). At the end of the academic year, students are examined on professional ethics and legal practice which must be passed before being admitted to practice in the courts of the land.

The paper posits that considering the place of ethical standard in the legal profession which seeks to imbibe in lawyers and law students' accountability, transparency and moral values, learning of the course in the NLS and during pupillage is not adequate. This was reiterated by the supreme

court of Nigeria in *N.B.A v Mabawonku* (2013) NWLR 1378 that in reforming the compulsory subjects, it is suggested that legal ethics should be taught at the law faculties as a compulsory course as this will enhance integrity and accountability on the part of the lawyer when dealing with his clients. The court further held that a high pass mark threshold should be given to professional ethics as a sole core subject in NLS.

From the two jurisdictions, the paper observed that legal ethics is taught as a stand-alone course in Nigerian while in SA, schools that teach ethics, either teach it as a stand-alone course or include some in the legal skill courses. The paper posits that the teaching of legal ethics as a stand-alone course may not be adequate enough to give the student the required knowledge needed to enhance and apply professional etiquette in the various areas of law. Little wonder it has been noted “recently that professionalism/ethics was one of the two areas “often mentioned as lacking among new recruits” (Whitecross (2016:5)).

Considering that professionals engage in making complex decisions that draw on their technical knowledge, skills and informed judgement, adherence to ethical codes assure the client that the professional holds high ethical standards, therefore, the earlier students are exposed to ideas of professional conduct, ethics and values, the more beneficial it would be for them (Whitecross,(2016)). Hence, the paper seeks for the incorporation of legal ethics or themes as a unit into the various subjects of law taught during the LLB programme while legal ethics and practice may be taken as a sole course during the vocational training for those who want to go into legal practice.

If this method is implemented, it means that students who undertake an undergraduate law degree already have a fair idea of ethics and moral standard guiding them. This will prepare the student for any difficult ethical issue arising in the discharge of his duties either as a law teacher, compliance officer or in legal practice (Van Zyl (2016)). For an effective teaching of legal ethics, the following method of teaching may be employed.

(a) *Problem based learning(PBL)*

The ‘PBL is a method or strategy in which the starting point for learning is a fact situation (the problem) that the learner needs to solve’ (Martin, (2003)). This method seeks to provide the student with a real-world context where the study activities consist of tutorial meetings, self-study, practical courses, problem questions and a limited number of lectures which serves as a foundation for achieving a deeper knowledge and understanding of legal rules and the way they work in the real world (Wijnen et al(2017)) .

Applying PBL in the teaching of legal ethics may involve the use of case studies, moot and mock trials, role play, scenarios / problem questions arising from the provisions of the rules of legal ethics usually in the presence of a tutor who acts as a facilitator (Wijnen et al (2017)). This will enable the law student understand his duties towards the court, colleagues, client lawyer relationship, and duty to the general public to uphold the rule of law and maintain a high ethical standard in the discharge of his professional duties. Therefore to ensure future lawyers are



conversant with legal ethics in Nigeria and in South Africa, it will require that the curriculum for the bachelor of laws degree programme at the university be carefully structured to allow for the inclusion of professional ethics theme or aspects in the various subjects as a core course in the LL.B level.

The paper observes that one of the problems with teaching professional ethics in the Nigerian universities which may also be applicable in SA is that legal ethics focuses on lawyers and not law student as these students are not yet lawyers to whom the ethics contemplate. Notwithstanding, the earlier students are taught legal ethics, the more they are equipped in upholding the standard required of a legal practitioner. For example, in Nigeria, there is a dress code for law students in the university and in the law school. This has been strictly adhered to as students who fail to abide by the dress code are not allowed to attend classes and are punished accordingly. Therefore, introducing and teaching of legal ethics in universities will no doubt help in the orientation of the student and instil values, morals, integrity, accountability and transparency as expected by members of the legal profession.

ii) *Introduction of Anti-Corruption Studies:*

Anti-corruption studies as a course had previously been absent from the traditional law school and universities curriculum. In introducing this course to students, 'the relevance and reasons for studying corruption will be outlined' (UNODC (2015)). This will include career paths in anti-corruption, such as criminal law, academic scholarship, policy development and implementation, training, technical assistance and advocacy. The purpose, learning outcomes, objectives and an outline of the topics to be covered by the course will also be set out (UNODC (2015)).

For law students, anti-corruption studies/elements could be integrated into other academic courses undertaken in the faculty of law with the law teacher preparing the module in relation to his given course. For example, a law teacher teaching Company Law and Practice should be able to dedicate a module to the teaching of anti-corruption laws and policies applicable to company law. This may include giving specific instruction to law students on how to advice clients on relevant anticorruption and anti-money laundering laws and penalties for different actors in order to ensure compliance under the Company Act or any other law and codes of governance relating to companies in the country in question. If the various anti-corruption measures are taught as a module in a particular subject this will expose the law student to what is and what is not corruption in a particular subject area.

***Teaching Methods:***

It has been observed that the classroom teaching method known as the pedagogic style based on formality, theory and lectures provided minimal opportunity for law students to learn and apply practical problem solving skill (Bamgbose (2015)). In developing countries where either a

lecture and/or seminar discussion format is used to teach substantive law, students graduate with little or no practical experience (Maisel (2006)). The paper posits that pedagogy is therefore ineffective in tackling the scourge of corruption within the Commonwealth because under this teaching method, students are taught the theoretical aspect of existing laws and policy framework without recourse to their practical implementation.

However, there is a move away from the pedagogic style as students are encouraged to participate in moot and mock trials within the faculty and against other universities. Some encouragement is also seen in other countries within the commonwealth.

To witness a significant change in fighting corruption generally through education, the paper recommends the introduction of Clinical Legal Education (CLE) in all faculties of Law in countries within the commonwealth. CLE is a 'mode of instruction in various law school courses particularly courses that are described as 'clinical', (Du Plessis (2016)), such as simulation based courses where students assume professional roles in hypothetical and real life situations. Legal ethics is a good example of a simulation course. Under CLE, 'in-house clinics students represent clients or perform other professional roles under supervision of a member of the faculty, who is an attorney, and externships students represent clients or perform other professional roles under supervision of an attorney who is not a member of the faculty' (Du Plessis, (2016)).)

Although in South Africa, CLE has been made compulsory as part of the legal curriculum in many faculties of law, (Du Plessis (2016) for example, the University of Johannesburg has a law clinic with branches on three campuses and all final-year LLB students are required to pass the module 'Applied Legal Studies', of which the law clinic forms a part of (Fourie, (2016), in Nigeria this is not the case. According to Bamgbose (2015), out of 50 faculties of law across Nigeria, only 18 have an established law clinic. This is not enough. In the law faculties that have adopted CLE, some do not grade their students on it while some do, (Faculty of Law University of Abuja, grade their students on it).

As a lawyer, the product of CLE would be able to contribute to national development and social change in a constructive manner when he graduates from the university. Considering that one of the causes of corruption and misuse of public office is a weak legal system as expressed in part one of the paper, CLE as a multi-disciplinary, multi-purpose education can help develop the human resources and idealism needed to strengthen the legal system (Bamgbose (2015) and may even rid the system of corruption by upcoming lawyers since CLE would enable the student understand from a practical perspectives how laws are to be applied as CLE serves a twofold purpose, namely practical legal training of students and providing free legal services to the (indigent) community. (Bamgbose (2015))

### ***Creating Awareness of Legislation and Legal policy Framework:***

To enable the general public to understand existing legislation and policy frameworks on accountability and transparency, law teachers need to create an awareness of the existing international and domestic anti-corruption legal framework, national and professional anticorruption policies and best practices, as well as their responsibilities and liabilities in regards to specific international anti-corruption instruments, and national anti-corruption legislation. To achieve this, law teachers should take advantage of all of their information resources such as research, publications, symposia, trainings, teachings, websites, blogs, and social media pages in simplifying the laws. This may be achievable by each faculty of law having its anti-corruption newsletter distributed to people and web pages dedicated to anti-corruption measures; they can also carry out anti-corruption events as a form of corporate social responsibility of the university where they teach.

### ***Enforcement Measures:***

Many people who are victims of corruption and misuse of public office especially in the public service do not know the appropriate measures to seek redress. Enforcement measures are very important in the prevention of corruption. Here, students will be taught on how to monitor levels of corruption, assess how robust corruption controls, governance procedures, and how to apply them. Such preventive measures include reporting suspicious transactions, record and document keeping, conformity controls, professional ethics and due diligence (unodc.org). Assessment is crucial to tracking changes and progress in addressing corruption. Law teachers should focus on teaching and sensitising the people on the various measures both international and local measures in the fight against corruption.

## **Part Three**

### **Recommendations**

Having noted that the issue of corruption is a global phenomenon which needs to be curbed and prevented, with the aid of law teachers, the paper recommends the following.

- i. Considering that a well-rounded graduate should have the capacity to be accountable and take responsibility in an academic, professional and social context, (Fourie (2016)) there is a need for the teaching of legal ethics in the LLB degree levels of Nigerian and South African schools as this will help in developing law graduates who will be committed to social transformation and at the same time adhere to the norms and expectations of the profession. Furthermore, ethics should be in the front burner in continued professional development for lawyers.
- ii. Law teachers may partner/collaborate with relevant national, regional, international and civil society organisations to support the teaching of anti-corruption and the

dissemination and promotion of academic materials to students. This can also be achievable through grants, therefore law teachers should engage in grant writing to fund anti-corruption training and research while introducing students to grant writing.

- iii. Introduction of anti-corruption studies as a course in the various faculties in the university especially faculties of law and the re-introduction of public administration as a course in faculties of law.
- iv. Students should be encouraged to engage in volunteering with the various local and international anti-graft agencies in their countries during holidays.
- v. Law teachers should collaborate with the various arms of government which are the legislature, judiciary and the executive arm or ministers to ensure the enactment of efficient anti-corruption legislation, quick dispensation of justice and the enforcement of laws.
- vi. Law faculties through the instrumentality of law teachers should introduce the evaluation of teaching through an anonymous student appraisal method indicating satisfaction in a particular subject and how the subject has helped in understanding what corruption and misuse of public office is, and the way to combat same.
- vii. The Anti-corruption Academic Initiative of the UNODC is commendable and the paper recommends that law teachers in Nigeria and South Africa should endeavour to be part of this initiative as it supports academics to teach and conduct research on corruption related issues. The initiative has developed a menu of academic resources, teaching modules, syllabi, case studies, educational tools and reference materials that can be used. It affords those in academics to share knowledge and be exposed to best international practices in combating corruption through education. (UNODC Anti-Corruption Academic Initiative(2015))
- viii. In developing a curriculum to meet best international practices in legal education, the paper recommends that a form of internship should be introduced whereby law students during holidays can engage in paid internships in anti-graft agencies , ministries, departments and agencies across the country which will be supervised by the faculty of law where the student studies.
- ix. Law teachers should engage in law reforms through periodic evaluation of legal instruments and administrative measures to determine the relevance and adequacy of such legal instruments in the fight against corruption. There are situations whereby the punishment for corrupt charges are too minimal that it does not show any form

of deterrence to the public. With law reform, the laws may be amended to reflect punishment that will serve as a deterrent to others.

- x. CLE should be made compulsory in Nigerian universities and improved in South African schools so that any faculty of law that fails to meet up with this may lose its accreditation to admitting of law students in the university.

## Conclusion

Corruption is a global concern which cuts across public and private spheres. Despite the various scholarly articles, anti-corruption laws and measures in place globally, corruption remains endemic. The paper observes that the cause of corruption includes lack of ethical standard, dysfunctional legal system, institutional weakness and lack of awareness of existing laws and rules. The paper further observes that corruption affects national and economic development; it also brings about insecurity and instability in government. Therefore, it has become important for law teachers to fashion out ways to combating corruption and the misuse of public office in the commonwealth countries of Nigeria and South Africa.

Considering that unethical lawyer behaviour has a potentially corrosive effect on the rule of law and administration of justice, to ensure law teachers play a role in the prevention of corruption, there is a need for curriculum development to include the teaching of legal ethics in the LLB programme and the introduction of anti-corruption measures in the faculties of law and in other disciplines in universities, there should also be a combination of pedagogy and clinical legal education in the faculties of law. Although, the world may not be totally rid of corruption, with education, it can be reduced to the barest minimum.

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