ISSN 1117-9481

ILORIN JOURNAL OF SOCIOLOGY

Volume 5, No 1 December, 2013.

Published by the
DEPARTMENT OF SOCIOLOGY
UNIVERSITY OF ILORIN, NIGERIA

Ilorin Journal of Sociology *Vol. 5(I) Dec. 2013, 177-192*

CORRUPTION AND DEMOCRATISATION HURDLES IN NIGERIA: AN OVERVIEW OF THE FOURTH REPUBLIC

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Abstract
May 29, 1999 marked the beginning of Nigeria's Fourth Republic after several years of military dictatorships in the country. However, there had been no meaningful development to commensurate Nigeria's return to civil rule. Though Nigeria is one of the ten fastest growing economies in the world, this has not been able to transform into an improved standard of living. This is in spite of the fact that the nascent democracy in country is over a decade. Corruption has eaten deep into the country's socio-economic and political system and serves as a major threat to Nigeria's democracy. Public office holders use their power to undermine basic human rights and enrich themselves at the expense of Nigeria's impoverished populace. This makes it imperative in this study to examine corruption as one of the hurdles of Nigerian democracy. The paper infers that socio-economic and political developments can be enhanced, if the fight against corruption is genuinely tackled and Nigerians across all strata of the polity imbibe the culture of transparency and accountability in public office.

Keywords: *Corruption, Democratization, Hurdles, Nascent, Transparency*

Introduction

Corruption cannot be said to have just started in the history of Nigeria as this has been in the system as far back as the colonial period. Corruption is the singular monster that threatens Nigeria's democracy. It has served as an obstacle to socio-economic and political development in the country. In fact, the political history of Nigeria especially after independence showcased what Omotola (2006) has referred to as political culture of corruption in the country. As a matter of fact, corruption has become one of the most topical

issues in the discourse of the deepening crisis and challenges of post-independent Nigeria.

As rightly observed by Adele, corruption has continued to cripple successive governments in Nigeria. The First Republic (1960-1966) was a victim of political corruption as state contract and loan programme were systematically milked to enrich elected officials. The era of civil war which coincided with the Gowon's regime witnessed an open display of corrupt practices as some government's atrocities were exposed. (Adele, 2011:1).

Records indicated that ten out of the twelve military administrators (Governors) during Gowon regime were convicted of diverting funds worth of $20 million (Diamond, 1991, 74). Although Murtala /Obasanjo administration was acknowledged to be free from corruption, it was unable to tame the monster before handing over to the acclaimed winner of 1979 presidential election, Alhaji Shehu Shagari.(Ojo, 2006, 34). Unfortunately, corruption that surfaced during Shagari's rule surpassed the previous military regimes. As at December 31, 1983 when Buhari / Idiagbon-led military junta terminated the Second Republic, millions of naira was reported to have been found in the houses of some arrested politicians. The magnitude of corruption during Shagari's government prompted Adamolekun (1985:88) to qualify the Second Republic as the golden age of corruption in Nigeria. The Buhari / Idiagbon's War Against Indiscipline (WAI) tried to reshape and probably tame the corruption monster to a very large extent before the advent of Babangida administration closed the chapter.

However, the Babangida administration also became victim of corrupt practices. Several accusations were raised to the extent that the administration was accused of lifting ban on corruption. The figure of "419" was coined during his 'maradonic' era. It was the tempo of corruption and subsequent annulment of June 12 presidential election that led to the abortion of the Third Republic. Corruption had already been entrenched in Nigeria before the Abacha regime came to play along. The death of Abacha produced Abdulsalam whose government embraced the shortest transition to civilian administration. Though Abdulsalam's regime was not too holy, concentrations and interests were more on his transition programme.

The intent of this paper is to examine the Forth Republic that began in 1999 and the dilemma of corruption hurdle which threatens Nigeria's democracy. The paper is divided into six sections and the next section explores relevant conceptualizations.

Conceptualizing Corruption

Corruption has been regarded as a problem which diverts scarce resources away from development and eradication of poverty. (Akindele, 2005, 7-18). This definition has a loophole in that it refuse to explain corruption in terms of the activities of corrupt individuals like extortion, embezzlement, etc. This will bring us to the definition given by Sefes in which he explained corruption has a situation where there is an extensive activity such as bribery, extortion and embezzlement ranging from petty to grand. (Sefes, 2007, 6) The two definitions explained above have not been able to combine institution corruption with individual corruption, though the two definitions did justice to the explanation of corruption in different strands.

Against this backdrop, Corruption can be defined as a situation whereby an individual or organization demands or diverts scarce resources through bribery, extortion and embezzlement from development that a society or individual deserves. Corruption has become an increasingly important issue in Nigeria; it is not a recent phenomenon that parades the Nigerian State. Since the creation of modern republic administration in the country, there have been cases of official misuse of resources for personal enrichment. As rightly observed by Gboyega (1996, 6) corruption can be perceived as any decision, act or conduct that subverts the integrity of people in authority or institutions charged with promoting, defending or sustaining the demonstration process, thereby undermining its effectiveness in performing its assigned roles.

However, corruption is one of the contested concepts as mentioned by Ojo (2006). It has been viewed from different dimensions by various writers. This makes corruption to be typological; it might be Political corruption, Economic corruption and even what Omotola (2008, 136) refers to as intellectual corruption which is quite obtainable among the academics. Political corruption is simply the use of power by government officials for illegitimate private gain. In essence, it is misuse or abuse of government power for selfish interest. Put differently, political corruption, however, can be defined as a method of exploitation by which a constituent part of the public sphere is exploited as if it were part of the market sphere (Ojo, 2001). Broader definition of political corruption also embraces electoral fraud as well as the rewarding by political parties of specific constituencies in return for electoral support. This justified Lodge (1998)'s explanation of political corruption as a phenomenon created within the institution of government,

legislatures, court, bureaucracies and statutory bodies such as parastatals, corporation or commissions. In essence, political corruption is a situation whereby an elected representative makes decisions that are influenced by vested interest rather than their own personal or party ideological beliefs.

Otunsanya, (2013) views economic dimension of corruption as a payment for services or material which the recipient is not due, under law. This may be called bribery, kickback or what the Middle East call 'baksheesh'. Also, Theobald (1997:6) expaciates economic corruption to include acceptance of money and other rewards for awarding contracts, diversion of public resources for private use, tax collection and tax assessment frauds. Most argument on economic dimension of corruption centers on the implication of government politics aimed at liberalization, deregulation and privatization which can reduce the opportunities for equality.

On intellectual corruption, it connotes the perversion of intellectual responsibilities, deliberately or not, for personal gains at the expense of the system (Omotola, 2008, 133). This has manifested in several dimensions in Nigeria. In a situation whereby scholars offer insincere advice and policy options to the government so as to advance self interest, it is a good example of an intellectual corruption. Omotola (2008, 134) argues further that in the academic environment where merit should be the order has been pervated with intellectual corruption.

In Omotola, (2008) the requirement for recruiting academics into higher institutions, be it federal or state are very clear first, the issue of merit based on academic qualifications is of utmost importance. Next is the question of federal character, a power sharing device in Nigeria that seeks to prevent a situation whereby any given institution is dominated by people from a particular background to the marginalization of others (Omotola, 2008). But today, the whole idea of recruitment along these lines has been reversed. Federal universities are the worst hit. In the last couple of years, most universities lack federal character principle. Recruitment and promotion exercise are based on whom you know man. As long as one belongs appropriately to the right camp, recruitment and promotion become formality, not minding the qualification, competency and capability (Omotola, 2008).

In summary, (Klitgaard, 1988, 4)'s classification of corruption says it all. He views corruption as a behaviour which deviates from the formal

duties of a public role because of private regarding (personal, close family, private clique) pecuniary or status gains or violate rules against the exercise of certain types of private regarding influences. Considering the argument so far, the notion of corruption may be broadened into what can be termed a "corruption complex."

Democratization Hurdles

The concept of democratization in Africa and Nigeria in particular has ignited intense debate in both political and academic circles and has also given rule to a sizeable production of all sorts of texts, some of which are still being collected (Buijtenhuijs & Thiriot, 1995). The most applicable meaning of democratization to Nigeria is the transition to a more democratic political regime. It connotes how Nigeria's democracy can be sustained and consolidated amidst hurdles. Democratization itself is influenced by various factors including economic development, history and civil society.

Not only that, democratization may be the transition from an authoritarian regime to a democratic political system. The Nigerian experience from military autocratic system to civilian administration falls into this category. Despite the transition to democratically elected government, there are setbacks in which corruption is also an integral part. (Nye, 2009, 281)

As rightly observed by Ojo (2006, 5), what informs democratization in Nigeria recently is how to consolidate on democracy. In fact, democratic consolidation is what actually motivates this paper to explore democratization hurdles in Nigeria. There is considerable debate about the factors which affect or ultimately limit democratization. Concepts like economy, culture, history and corruption, etc have been cited as impacting on the process.

Nigeria's democracy is faced with several problems which are responsible for the failed political system in the country. The electoral system is still subjected to problem of irregularities and manipulations. The worst election Nigeria has ever had was that of 2007 general election, though the 2011 election was better (Nye, 2009, 281). It also witnessed some lapses. The trend of money politics, buying and selling of votes are discouraging attributes of Nigeria's political culture. The poverty ratio which is alarming also constitutes a hurdle to Nigeria's democracy. (Chipkin, 2013, 21) The unemployment level needs to be tackled and as a matter of fact insecurity

may not be easily tackled, if the youths who constitute the largest population are not usefully engaged. Most of these problems are threats to democratic consolidation in Nigeria and which make it imperative in this discourse to examine corruption as the major virus that has eaten deep into the Nigeria society (Nye,2009, 8). Corruption has, thus poses serious threat to the country's democracy. The next section views the manifestation of corruption in Nigeria's forth republic.

Manifestation of Corruption in Nigeria's Fourth Republic

May 29, 1999 marked a watershed in Nigeria's political history. It was a democratic transition after years of military regimes which were known for human rights abuse, dictatorial system and undemocratic leadership. Interestingly, the hope of the common man for a just and egalitarian society became rekindled with the institution of a democratic government in (Akanle, 2011). However, corruption remained and enjoyed continuity in the democratic dispensation. The spate of corrupt practices was spearheaded by Salisu Buhari, former Speaker of the House of Representatives. Barely a year after the historic event of May 29, 1999, the young speaker was exposed by a news magazine of certificate forgery and perjury. Buhari had purported to be 36 years old and claimed to have attended the University of Toronto, Canada. In an exclusive report entitled 'The Face of Liar' (The News, 2nd August, 1999), report indicated that the speaker was neither up to that age nor ever attended the University. After much controversy and investigative journalism, the speaker admitted to have paraded fake certificates (Age and Academic). He was eventually removed from the speakership position (Ojo, 2001).

Not quite long, a report from Tell magazine published a scandalous and corrupt story about the then Senate President, Evan Enwerem. He was accused of questionable character in the past and which ordinarily ought not to have given him the privilege of becoming a senate member or the number three man in the country. He was removed and replaced by Chuba Okadigbo. Like his predecessor, Okadigbo was accused of financial recklessness and investigation indicted him. As rightly observed by Ojo (2011), Nigerians had three senate Presidents and two Speakers of the House of Representatives in less than two years.

In February, 2005, another report of corrupt practices was published by Independent Corrupt Practice Commission (ICPC). The report confirmed

that the Minister of Education, Prof. Fabian Osuji, invited his acting Permanent Secretary and some directors to collect money from votes under their control to bribe some members of the National Assembly so that they could protect their budget. According to the report, the sum of ₦35million was arranged by the Directors while an additional loan of ₦20million was taken from the National Universities Commission (NUC) to pay a total bribe of ₦55million which was collected by the Senate President, Adolphus Wabara, Senator John Azuta Mbata, Chairman Senate Appropriation Committee, Senator Ibrahim Abdulazeez, Chairman Senate Committee on Education, Senator Chris Adighije, Senator Badamasi Maccido, Senator Samuel Okpede and a member of the House of Representatives, Hon Sheu Matazu who was the Chairman of the House Committee on Education (*The Punch,* Wednesday March 23, 2005). The ugly situation led to the dismissal of Minister of Education, Prof. Osuji while the permanent secretary and the affected 5 directors of the ministry were referred to the Federal Civil Service Commission for necessary disciplinary action. The Executive Secretary of NUC, Professor Peter Okebukola who provided a loan of ₦20 million was also dealt with.

However, the ₦55million Scandal did not serve as warning signal to corrupt officials, as another alarming corrupt case involving the former Governor of Bayelsa, Diepreye Alamieyeseigha was reported. It was termed "money laundering". On September 17, 2005, the Governor was arrested in Britain by the London Metropolitan Police and detained. At the time of his arrest, the Metropolitan police found about 1 million pound cash in his London home. They later found a total of 1.8million pounds in cash and bank. He jumped bail in December 2005 by allegedly disguising as a woman. He was impeached on 9th December, 2005 (*The Punch,* 10th December, 2005). Recently, on June 29, 2012 precisely, the ex-Governor lost $1,931m to the United State. The Court in America passed a judgment which made the former governor to forfeit his Maryland home worth 600,000 US.dollars and 401,931 US dollars in cash to the U.S government www.nairaland.com

The case of Bode George, former Chairman Nigeria Ports Authority, (NPA) is also still fresh. He was indicted by the Economic and Financial Crimes Commission (EFCC) of fraud at the NPA. His trial started during the headship of Nuhu Ribadu and in August 2008, the new head of EFCC, Farida Waziri, arrested Olabode George in Lagos and arraigned him and four others on a 163 count case of conspiracy, abuse of office and alleged illegal award

of contracts worth #84 billion while he was Chairman of the NPA. In October 2009 Bode George was found guilty and sentenced to jail of 30 months *(The Guardian* 11, October, 2009). Bode George was later released on February 27, 2011 having completed his jail term at Kirikiri Prison, Lagos. The reception organized by PDP officials for him showcased lack of seriousness in genuine fight against corruption.

The Ibori corruption saga has different dimensions. He is a former Governor of Delta State. On September 8, 2009, the EFCC started a probe based on the allegation that James Ibori offered 820 million units of shares in Oceanic International PLC to Ascot Offshore Nigeria Limited to secure 44billion naira loan from Intercontinental Bank Plc in 2007. Ibori's name also featured again in a case where the London Metropolitan police was charging 4 Nigerians to court for money laundering and diverting V-mobile shares owned by their respective states into private accounts. Apart from his case in London, Ibori was investigated in the United States for allegedly buying a brand new Bombardier challenger 604 jet with monies looted from Delta State treasury. Unfortunately, despite these charges Ibori was still working at corridors of power in Nigeria. The criminality of Ibori became noticed by the President when Mr. David Edevbie, the Principal Private Secretary (PPS) of Yar'adua was declared wanted together with Ibori by the London Metropolitan Police (Daniel, 2011). Unfortunately, the Minister of Justice and Attorney of the Federation during Yar'adua's administration, Mr Andoaka used his influence to exhonerate Ibori from corruption cases. This according to Adeniyi (2011) was a dent on the image of Yar'adua's government and his zeal for the application of rule of law. Unfortunately for Ibori, he got his sentence in South Work Crown Court, London. The former Delta State Governor having pleaded guilty was sentenced to 13 years imprisonment (Sahara Report, 17 April 2012)

Corruption does not only survive or operate in the public sector; it also permeates private organizations in Nigeria. Cecilia Ibru, former head of Oceanic Bank was found guilty on a three charge of fraud and mismanagement. Ibru was removed from her position in August 2009 along with Chief executive officers of another top Banks, on accusation of corruption and mismanagement of funds. It was this time that the Central Bank of Nigeria stepped in to rescue nine banks on the verge of total collapse as a result of corruption and fraud. The Federal High Court in Lagos convicted Ibru for granting 20 million US dollars and 2 billion naira credit

facilities above the approved limit set by the Central Bank of Nigeria. While handing down the sentence, Justice Abutu ordered that Ibru should forfeit assets worth ₦191 billion comprising 94 choice properties across the world, including the U.S, Dubai and Nigeria. The judge also ordered that she should forfeit shares in about 80 listed companies in the Nigeria Stock Exchange and 20 unlisted companies (*This Day,* October 8, 2012). Similarly, Akingbola's trial showcases the trend of corruption in the banking sector. The former MD of Intercontinental Bank (acquired now by Access Bank) Mr. Erastus Akingbola, is standing trial alongside one of his associates, Mr. Bayo Dada, over alleged stealing of ₦47.1 billion. The case is still being contested at the Federal High Court of Lagos. Though the Federal High Court has thrown out the corruption charges against Akingbola, the EFCC is ready to appeal the verdict (This Day, August 7, 2012).

The case of former Inspector General of Police, Tafa Balogun, was another national blow. He was accused of financial corruption of over ₦13 billion public funds. Balogun was arrested and arraigned before a Federal High Court. Being the first senior official to be convicted, Justice Binta Nyaku, sentenced Balogun to 6 months imprisonment. He was also ordered to pay a fine of ₦4million while some properties worth $ 150 million were seized by the government. (The News, November 22, 2005).

The Otedola/Lawan bribery saga is another case in reference. Farouk Lawan, a member of House of Representatives and the Chairman Adhoc Committee on Subsidy Probe, was accused of accepting the sum of $620.000 dollars out of a grand total of 3 million USdollar price tag. Femi Otedola, a businessman and chairman Zinon oil Company, offered the bribe and involved the State Security Service (SSS) to prove that he was pressured to part with money. Initially Lawan denied accepting the bribe until the scandal became topical in the press. Thereafter, he claimed to have collected the money as 'exhibit'. According to the report, Otedola gave Lawan marked money and both video and audio evidences were tendered to the security. Several investigations were made but no one can ascertain the whereabout of the ''marked money'' (Vanguard, 18 June, 2012).

On the final analysis, corruption has been a singular threat to the survival of Nigeria's democracy. The attitudes of the public office holders reflect self centeredness and greed. Apart from the aforementioned cases, there are some other corruption saga which have been buried and this

exposes government's lack of political will to fight corruption. The next section captures government responses toward curbing corruption.

Government Responses to Curbing Corruption in Nigeria

With the return to civilian rule on 29 May 1999, the incoming administration pledged, as one of its cardinal policies to wage war against corruption. Expectedly, not more than a month into the Obasanjo administration, he (Obasanjo) presented a bill to the National Assembly on corrupt practices and other related offences. It took the legislature a year to pass the anti corruption Act which ushered in the Independent Corrupt Practice and other related offences commission (ICPC). The bill was assented to by the president on 13th June, 2000. ICPC was officially inaugurated on 29, September 2000. ICPC through its act has the power to investigate and prosecute cases of corruption and other related offences. However, the ICPC is generally considered to have been one of the most promising yet disappointing anti graft agencies. It was originally bogged down with litigation. For instance, the case filed by the Attorney General of Ondo State, arising from ICPC's first corruption case in May 2001, queried the constitutionality of the ICPC Act. The activities of the commission were almost paralyzed until June 7, 2002, when the Supreme Court upheld the validity of the legislation (Aiyede, 2008). Although the Agency has been able to prosecute a few public officers and has several pending cases in court, ICPC is yet to convince Nigerians on its seriousness to tackle corruption. This can be referred to as a capacity weakness which threatens the potential of the Agency in combating corruption. According to the ICPC report, about 263 cases were filed between 2001 and 2011 involving 495 accused persons. (Lucky, 2011, 11)

Nevertheless, another agency that has generated popular excitement in the anti corruption war is the EFCC (Ayiede, 2008-2009). The Economic and Financial Crimes Commission (EFCC) is the second anti corruption body set by the President Obasanjo administration. The EFCC was established in 2003 and is empowered to prevent, investigate, prosecute and penalize economic and financial crimes as indicated in its act. The EFCC under the leadership of Nuhu Ribadu was able to address financial corruption by prosecuting and convicting a number of high-profile corrupt individuals, ranging from Nigeria's former Inspector General of Police, Tafa Balogun, Diepreye Alamieyeseigha to the former Governor of Delta State, James Ibori.

In September 2006, the EFCC investigated 31out of Nigeria's 36 State governors (The Nation, September 28, 2006). The EFCC has been able to tackle, to some extent, cases of advance fee fraud (commonly called 419) such as obtaining by false pretence through different fraudulent schemes e.g. contract scam, credit card scam, job scam, counterfeit, cyber crime, etc (Ayoade, 2008 , 49).

In April 2008, the EFCC began an investigation of the very influential daughter of the former Nigerian president, Senator Iyabo Obasanjo, for receiving ₦10 million stolen from the Ministry of Health. The investigation also indicted the former Minister of Health and his deputy of stealing $30000 from the ministry's unspent funds (EFCC Report, 2008). The removal of Ribadu paved the way for the appointment of Farida Waziri as the successor to the former on June 6, 2008 precisely. The prosecution of Bode George, former NPA chairman, was one of the big cases during Waziri's headship. Olabode George was arrested and arraigned before the court of law which sentenced him to 30 months imprisonment having being found guilty. The conviction of the former MD of Oceanic Bank, Cecilia Ibru, is a plus to the EFCC under the leadership of Waziri. The former head of Oceanic Bank was arraigned in court and sentenced to 6 months imprisonment and also made to forfeit some valuable properties, locally and internationally. Also the trial of Erastus Akingbola stated during this period and is being anchored under the new leadership of the EFCC headed by Lamorde Ibrahim who assumed office in November 2011. Recently, the EFCC arrested and arraigned some persons involved in subsidy scandal. Popular names among the suspects were the children of the so called '' big men'' in the country.(Bamidele, Joseph, & Oresajo. 2013, 10-16)

However, despite the efforts being made by the anti-graft agencies, the issue of ''plea bargaining'' has become a disturbing notion in Nigeria's Judicial system. Plea bargain simply means acceptance of guilt by a suspect. This practice might have informed the soft punishment for the accused persons. But the argument here is the abuse of the legal concept and this prompted the former chief Justice of Nigeria, Justice Dahiru Mustapha, to call for its abolition (Vanguard, March 7, 2011). Though plea bargaining assists in avoiding delay of justice which has characterized the Nigerian judicial system, the intent of introducing it to criminal cases in the country has amounted to granting undue leniency as reward to criminals.

Implication for Sustainable Democracy

Most literature on corruption and democracy seem to have a consensus that corruption is a virus that threatens democratic consolidation in any society and this is the greatest challenge in Nigeria experiment (Bamidele, Joseph & Oresajo. 2013,10). The motive of democracy is not attainable amid corrupt practices. The question of good governance is being jettisoned in Nigeria as a result of corrupt tendency from some public office holders. In a situation where self centeredness surpasses public interest, democratic virtues might be a mirage. The magnitude of corruption and the absence of probity, equity, accountability and patriotism which characterized leadership and institutions over which the state presides can be regarded as greater threats from which the state must be rescued (Chafe & Roberts, 1996, 474)

Not only that, corruption has threatened the conduct of free and fair elections in Nigeria. Elections play a significant role in deepening democracy but manipulation of electoral system in the country has exposed the corruption in Nigeria's electioneering. Since the inception of new democracy in 1999, election has always been marred with irregularities and rigging which pose credibility question to Nigeria's democracy. Between 1999 and 2007, Nigeria held three elections which witnessed a systematic persistent deterioration in the quality of elections (Otunsanya, 2013, 413). In 1999, there were some complaints of old style competition rigging. Meanwhile in 2003 Nigerians began to see systemic deployment of organized thuggery, violence and brazen manipulation of election results. The 2007 elections witnessed 'coercive rigging' and 'selection' rather than election. The election was condemned by both local and international observers (Mustapha, 2007:3). Although the conduct of 2011 general elections was applauded by various monitoring groups, there were cases of malpractices. In essence, credibility of election is expected to determine credible leaders. For some voters to desist from money politics and vote selling, corruption should be tamed.

The poverty ratio in Nigeria is high and this can easily be attributed to corruption in the society. Nigeria is naturally endowed with both mineral and human resources but suffers from prudence and transparency. Diversion of public funds by private individuals for selfish interest has done more harm to the country's economy and the people's standard of living. Democracy is not safe in such condition. The major reason for subsequent military intervention in Nigeria has been the corrupt practices by politicians. The

present crusade against corruption needs genuine intention to avoid any excuse from intervention in politics.

Conclusion

It has been argued in this paper that corruption is a major problem which held has Nigeria to hostage. Though there are some other fundamental challenges facing the country, corruption has been a singular threat to socio-economic and political development in the country. The perception of making corruption Nigerians culture needs to be reshaped and as a matter of fact the greatest recommendation is the need for all hands to be on deck in taming the monster of corruption in Nigeria. If corruption can be struck out in our setting, Nigeria stands a better chance of development.

We therefore recommend that issues like transparency should be taken with utmost importance at all levels of government. This will go a long way in eradicating the menace of corruption in the system. Also, anti-corruption agencies should fight corruption at all levels, we are recommending this because the anti corruption agencies are usually seen as fighting those that are not in support of the government. For example, the arrest of the sons of Governor of Jigawa State,Sule Lamido, whereas there are other more corrupt cases like the case of the aviation Minister, Mrs Stella Oduah-Ogiemwonyi who purchased bullet proof cars worth 255million, but the anti-corruption agencies have not seen anything wrong with the accusation.

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