

---

## Political Corruption And Dilemma Of Democracy In Nigeria's Fourth Republic

**J. Adele Bamgbose**

### Abstract

Political Corruption as a social malaise has become a ubiquitous in every society of the world. The danger posed by it has brought to many countries unmitigated disaster to both the economy and political systems. Nigeria is not left out in the danger posed by this phenomenon. This work however centres on the political corruption and the dilemma of democracy in Nigeria's fourth republic pointing out the shameless practice of corruption during the fourth republic.

### Introduction

The growing clamour for democratic transitions that swept through the entire African continent in the 1990s subsequently gave birth to a wave of competitive multiparty election thereby challenging authoritarianism, military rule and one-party regime in virtually all African States with a view as Nyirabu(2002:99) put it "widening the space of democracy". Such democratic transitions have however not limited to African countries alone. A writer has properly put this when he stated that: 'In the coming years, more countries will undoubtedly move toward democracy and some democratic transitions will occur (Huntington, 1996:5). This prediction many years ago came into reality.

Paradoxically, Nigeria's democracy especially the one that commenced from May 29, 1999 was born with persistent ethnic and religious tensions, growing religious conflict, depressed economy and marginalisation among others. Of these problems, no one is more intractable and more threatening to the future of Nigerian democracy than political corruption. Thus a statistical index on 85 countries, covering all the continents of the world from Transparency International showed that, Nigeria and Tanzania occupied the fifth position (Eke, 1999: 5). While this was so in 1999, by 2004 the same Transparency International ranked Nigeria as the third most corrupt country in the world (Adesina, 2004:16). Both internal and international observers have rated Nigeria as the most corrupt country in the world, deserving a pride of place in the *Guinness Book of Records* (Umukoro, 2008:67). Nuhu Ribadu, a former head of the Economic and Financial Crime Commission (EFCC) alerted the nation that as many as 31 former governors out of 36 have a case to answer on corruption (Adesina, 2008: 28). The issue is so appalling in Nigeria that in another development, Ribadu revealed how politicians siphoned over \$10bn from Nigeria monthly (Farotimi, 2010: 7).

Analysts of political corruption in the Third World have regarded this monster as the single most important obstacle to economic development and political integration (Tignor, 1993: 175). In fact, the British Government became increasingly worried after the World War II and resultantly claimed that the transfer of power which could guarantee political independence to Nigeria should be slowed down because of the rate of political corruption. Tignor (1993, 176) further claimed that, of the problems such as thuggery in politics, lack of commitment to democratic ideals, ethnicity, and bureaucratic incompetence

and inexperience that surfaced in the 1950s, political corruption rose to subsume all of them and therefore become the emblematic defect of the fledgling republic.

This monster called political corruption has continued to cripple successive government in Nigeria. The First Republic (1960-1966) became the victim of political corruption as state contracts and loan programmes were systematically milked to enrich elected officials. The period of the Nigerian Civil War was not in any way better. This period which coincided with the Gowon's administration became an era of open display of corrupt practices as some Government functionaries were exposed. Gowon's style of eradication of corruption woefully failed as a commission of inquiry appointed by General Murtala Muhammed after his assumption to power by August 1975 coup convicted ten of the country's twelve military governors of diverting funds totalling over \$20million (Diamond, 1991: 74).

Although there had been no government in Nigeria that had demonstrated a strong will to fight corruption between 1975 and 1979 than Murtala/Obasanjo administration, this notwithstanding it was unable to rid the society of this disease by the time it handed over power to the civilian politicians in October 1979. The beginning of the Second Republic marked another resurgence of political corruption that surpassed the previous regimes. Thus Western diplomats and economists unofficially estimated the private wealth exported by top government officials in the Second Republic at between \$5 and \$7 billion (Diamond, 1984: 908). By December 31 when the military took over and arrest of politicians was made, million of naira were found in cash in the houses of these corrupt politicians. In fact, the magnitude of corrupt practices that pervaded the entire republic earned the period the golden age of corruption (Adamolekun, 1985: 88).

With all intents and purposes to fight against political corruption, the Buhari/Idiagbon government could not do much because the regime's disregard to due process discredited its campaign against political corruption. The advent of Babangida's no doubt heightened corruption in the country. Babangida who claimed to be the messiah of the country soon fell victim of corrupt practices as he was accused of large cash gifts to military officers, cabinet ministers, traditional rulers, and potentially contentious opponents; of Mercedes Benz cars given to major newspaper editors and directors of state broadcasting corporations; of the president's secret personal investments in banks and companies; of off the book oil being lifted offshore by private tankers (Diamond, 1991: 76). It was this tempo of corrupt practices that besmeared the Third Republic.

The objective of this paper is to examine political corruption and its dilemma on Nigeria's fourth republic. The paper's first section focuses on corruption and Obasanjo's fourth republic beginning by May 29, 1999. The second section considers the Yar'Adua administration and corruption in Nigeria. The third deals with political corruption and its dilemma on Nigeria's democracy while the fourth section considers the effectiveness of instruments of combating corrupt practices.

### **Corruption and Obasanjo's Fourth Republic**

May 29, 1999 marked the inception of Obasanjo's ascension to civilian leadership of the country. As an elder statesman who had once ruled Nigeria as a military head of state before, he knew the gravity of corruption in the country and long before the beginning of the fourth republic, Obasanjo declared that:

Corruption exists in almost every society. But in Nigeria and particularly with the advent of SAP it has become uncontrolled and uncontrollably pervasive. Anything and anybody can be settled (Cited in Nwagwu, 1994: 50).

Knowing this, President Obasanjo in his celebrated 1999 inaugural speech declared that there would be no sacred cow. Obasanjo in furtherance to his fight against corruption cancelled many contracts that were awarded and oil block licenses and allocation that were granted by the former head of state (Gen. Abubakar). Besides, his administration created the Independent Corrupt Practices Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC). However, in spite of these measures against corrupt practices, Obasanjo and his administration became the victims of corrupt practices, as the Petroleum Technology Development Fund (PTDF) involved former President and his deputy Atiku Abubakar, a scandal that nearly derailed the 2007 general election.

Corruption therefore in Nigerian politics becomes unavoidable thing because it is a means either of building up or of maintaining the political class in a democracy because as Akintunde (1967: 10) pointed out; "Most Nigerian politicians were poor before entering politics". It is the desire to get rich quickly that keep on luring Nigerians into politics. This is not far from the practice of the politicians in the fourth republic as the upper house (the senate) was turned into a theatre of award of dubious contracts. This necessitated many revelations in the press indicating that many of the contracts were awarded at highly inflated prices. This did not go down well with other Senators who insisted that a probe be carried out and that the senate president and his deputy should step down while the probe lasted. This gave birth to Senator Idris Kuta panel.

Senator Idris Kuta's panel came out with some findings. The panel set up terms of reference that would make it easier for the panel to thoroughly look into the case. These terms of reference were:

1. To determine the numbers of contracts awarded by the Senate in the past one year from 4<sup>th</sup> June 1999 to 17<sup>th</sup> July 2000.
2. To identify the officers of the Senate and other Senators that participated in the exercise of contract awards.
3. To identify to whom the contracts were awarded, for what and the amounts involved.
4. To determine whether laid down rules and procedure were complied with in the award of contracts
5. To determine the position of the contracts whether satisfactorily completed,
6. Accounting Officer of Senate referred to in the Treasury Inspection Report of the Accountant-General of the Federal forwarded to the Senate under cover of letter Ref No. BRES/134 of 29<sup>th</sup> June 2000, signed by the President of Federal Republic of Nigeria, Commander-in-Chief, to comment on the allegation.
7. To determine the role of Principal Officers of the Senate in all these contracts awards,
8. To examine any other issue relevant or incidental to the investigation.

On term of reference number one, it was discovered that a total number of about 91 contracts were awarded by the Senate during the period under consideration.

Finding also revealed that the following Senators participated in the award of contracts between the 4<sup>th</sup> June, 1999 and 17<sup>th</sup> July, 2000.

- I. Senate President (ex) – Senate Evan Enwerem
- II. Senate President (current) - Senate Chuba Okadigbo.
- III. Deputy Senate President- Senator Haruna Abubakar.
- IV. Senator A.T Ahmed- former Chairman, Senate Services Committee.
- V. Senator Gbenga Aluko.
- VI. All Principal Officers at the meeting of 21<sup>st</sup> June 2000 which comprised.
  - a. Senator Mojisoluwa Akinfenwa AD leader
  - b. Senator Abubakar H.Girei- Chairman, Senate Services Committee
  - c. Alhaji Ibrahim Salim CON-Clerk to the National Assembly
  - d. Alhaji N.I Arab- Deputy Clerk to the National Assembly.
  - e. Mr E.O Ozubele- Clerk, Senate
  - f. Dr. A.A Eigbefoh, OFR- Director Personnel Management.
  - g. Alhaji Suleiman Kabri
  - h. Alhaji M.A Sani-Omolori- Head, Legal Services.
  - i. Mr. O Arunsi
  - j. Alhaji Sani

Information on term of reference number 3 is contained in table 1  
Table 1

	Contractor	Senator	Amount (#)	Nature of Contract	Amount paid as at 21/6/2000
1.	Independent Strategies Ltd.	Senator Gbenga Aluko	13,528,400	15 Nos. Xerox 5815,31 Nos Xerox Fax/work Centre.	Fully Paid
2.	Associated Logistics Ltd.	Senator Gbenga Aluko	14,880,000	24Nos. Xerox 5815	Fully Paid Document 2, page 6 paragraph 9.
3.	Labonil Nig Ltd.	Senator F. Ita Giwa	4,506,000	5 Nos Xerox 5815 19 Nos Shredder Rexel 250	Fully Paid

4.	Labonil Nig Ltd.	Senator F. Ita Giwa	1,062,593.40	Fencing of Senator F. Ita Giwa's residence	Fully Paid
5.	Exclusive Int'l Ltd	Ararumel (His wife and Children)	3,738,525	Furnishing of Senate President's Office Annex.	Fully Paid
6.	Tiksa Nig Ltd	Senator Othman Idi Guda	1,070,000	General Stationery	Fully Paid
7.	Zibagbo Nig Ltd	Senator Roland Owie	17,000,000	Cleaning and Gardening	Fully Paid
8.	Tee Jay Associates	Senator Roland Owie	18,602,942.74	Consultancy on the Street Light	50% Paid

Source: *The News* 14 August 2000 p.22.

It was gathered that, on term reference number 4, there were laid down rules and procedure for the award of contracts which had been in existence in the National Assembly since the Second Republic. The rules and procedure were reproduced and sent to all the Principal Officers, Senators and Honourable members by the Clerk of the National Assembly. On term of reference number 5, it was discovered by the panel that some of the contracts awarded and which were fully paid for were not executed or were abandoned completely. Also that, the management of the National Assembly did nothing to the contractors to complete their projects. With respect to term of reference number 7 that is, the determination of the role of Principal officers of the Senate in all the contracts, the findings of the panel showed that, the former Senate President (Senator Evan Enwerem) from 4th June 1999 to 18th November 1999 awarded 3 contracts.

The first one was on 31<sup>st</sup> August 1999 to a Peak Design Associates which was to supply 10 No. IBM Typewriters, 5 No T200 Refrigerator and 5 Nos. Shredding machine for Senate which amounted to #2,064,800. The second contract was awarded on the same day as above to a contractor Task System Ltd which was to supply 3 Nos. Computer set for the office of the Senate President which amounted to #1,650,000. The third contract was also

awarded in the same date as above to a contractor Smart Science Ltd which was to supply 1 No. computer set, 1 No. Scanner, 1 No. IBM typewriter, 2. Nos. T200 Refrigerator, 3 Nos. Shredding Machine, 3 Nos. Radio, 1 No. Sharp Copier for the office of the Senate President totaling #1,285,200.

For Senate Chuba Okadigbo, the panel found out that he granted many anticipatory approvals to many contracts and that such anticipatory approvals were accompanied by approvals for payment of between 50 percent and 100% of the contract sum before seeking ratifications which prescribed a maximum of 25% payment in such cases. The Deputy Senate President, Senator Haruna Abubakar approved Welfare Packages of #16,950,000 for himself and #22.95m for the Senate President. Senator Gbenga Aluko acted as the Sole Administrator of the Senate Service Committee between 30<sup>th</sup> November 1999 and 15<sup>th</sup> February 2000. He was also responsible to the Senate President in the awards of contracts. Other Principal Officers who attended the meeting of the 21<sup>st</sup> June 2000 leading to the ratification of the contracts included Senators Okadigbo, Haruna Abubakar, Mojisoluwa Akinfenwa and Abubakar Girei.

The findings of the panel also revealed that laid down procedures and rules were not complied with in the award of all the recognised contracts in the National Assembly. The panel also investigated other related issues and in this case, it was the purchase of 117 cars bought for the National Assembly. Investigation revealed that, 117 cars were bought in two phases – 51 Peugeot (505) and 66 Peugeot (505) but the defunct Senate Services Committee contravened the Federal Government directives that official cars should be purchased directly from the manufacturer (PAN) and not from elsewhere and because of this contravention, cost differences of #2,615,250 and #18,394,098 were incurred in the first and second batches of vehicle procurement respectively.

Beyond these, there were other revelations which were not contained in table 1 above. Senator Chuba Okadigbo the erstwhile Senate President was alleged to have received the sum of #22.95 million for Sallah/Christmas without questioning. He was also found guilty by the Kuta panel of inflating #173million street light project which he did not deny before the panel. Again, he received the sum of #32million for the purchase of 8 additional cars bringing to 32 cars earmarked to his office. He received the sum of #37,211,570 for furnishing of the Senate President's residence which was above the Senate approved #25million, over #5million for security gadgets in the Senate President's residence without authorisation and lastly, the installation and commissioning of 100KVA generator for the Senate President's residence at an inflated rate price of #15million without authorisation. Senator Haruna Abubakar the then Deputy Senate President was indicted along with the Senate President for receiving the welfare package of #22.95million (Ugbolue, 2000: 16).

Senator Bala Adamu was found guilty of not being able to account properly for #10million released by the Senate for the purchase of relief materials to riot victims in Kaduna. Senator Abubakar Girei was found guilty of collecting #6.2million to purchase Sallah gifts for the Senators in which most of the items were over priced. Aside, those civil servants who were involved in corrupt practices had their cases referred to the Head of the Federal Civil Service while Senators found guilty were told to refund some amount of money. In all, these punishment did not commensurate with the gravity of the various offences committed.

**Yar'Adua administration and corruption in Nigeria.**

That corruption persisted and that some personalities were mentioned in connection with corrupt practices under Yar'Adua's administration were well known to President Yar'Adua himself as himself declared:

I promise this nation that once we have a response, those names in response will be made public and we will take action and direct that the names should be forwarded to the EFCC and those officials and former officials involved will be arrested and prosecuted (Oloja, 2009:1).

The fact under this administration remains that, the President (Yar'Adua) could not march his words with action. The entire administrations became riddled with corrupt practices. Barely three months when President Yar'Adua was sworn in, there were publication on the pages of Nigerian newspapers that contracts were awarded for the renovation and furnishing of official residences of the Speaker and the Deputy Speaker as well as the purchase of 12 Vehicles for principal officers at #628 million an amount which was later corrected by the Senate President, David Mark as #579 million (Jimoh, Ogbodo and Agbana, 2007:1 and 2)

This necessitated the setting up of a nine-man independent ad-hoc committee to look into the case. The committee's terms of reference were to:

1. examine the award of contracts for the upgrading of the official residences of the Speaker and the Deputy Speaker, and
2. examine the contracts for the purchase of official and utility vehicles for the leadership of the House, and to report to the House within two weeks.

The ad-hoc committee however concluded that due process was not completely followed in the awards of the contracts based on the following facts:

1. The tender was not advertised,
2. No in house Bill of quantities and drawings (architectural, structural, electrical and mechanical) such as there was no basis for arriving at the approved contract,
3. No specific budgetary provision for renovation and furnishing of the official residences of the Speaker and Deputy Speaker in the 2007 Budget,
4. No specific budgetary provision for the purchase of vehicles for principal officers in the 2007 budget,
5. The procedure for the award by the Body of Principal Officers on the July 12, 2007 shows major act of omission and disregard for laid down procedure,
6. The memoranda for the award of contracts presented at the meeting of the body of Principal Officers of July 12, 2007 were revised before some of the quotations for the jobs were processed;
7. Some of the companies that sent quotations were not registered with Corporate Affairs Commission. They therefore lacked capacity to compete for the contracts in questions since the law does not recognise them as persons,
8. It appears that some principal officers were excluded from the meeting of July

12, 2007 by not serving them notice for the meeting particularly the Minority Leadership.

9. The contract sum of #238,856,152 in respect of the renovation and furnishing of the residence of the Speaker was for the maintenance and not inclusive of cluster of structures in the compound and
10. All quotations relating to the renovation and furnishing contracts directed to the office of the Clerk to the National Assembly were first acted upon by the Hon. Speaker for the attention of the Clerk to the National Assembly directing him to process (Reports of the Committee).

However, for the Senate President David Mark to have described the allegations of financial misconduct against the Speaker and her Deputy as being without merit is far from the truth and such declaration should be seen as a ploy to cover up the misdemeanour.

In another development, there was a scandalous purchase of 380 Peugeot 407 cars from Peugeot Automobiles Nigeria (PAN) Ltd by the House of Representatives with some principal officers indicted. This was investigated by the Economic and Financial Crimes Commission (EFCC) and in a 14-page report dated February 20, 2009, being addressed and forwarded to the then President, Alhaji Umaru Musa Yar'Adua, the EFCC stated that some officers and members of the House of Representatives actually had questions to answer in respect of the alleged scam in the purchase of 380 Peugeot 407 cars from PAN (Mbamalu, 2010:16).

In order to find out the truth, the EFCC sent its team leading to discussion being held with the Speaker of the House of Representatives (Hon. Dimeji Bankole), and the Deputy Speaker (Hon. Nafada). The Commission also recorded Statements from the then Clerk of the National Assembly, Mr. Nasiru Ibrahim Arab, and the Acting Clerk of the House, Mr. Niyi Ajibode. It also recorded statement from the National Assembly's Director, Estate and Works, Idris Muhammad Ataba Sani- Omolari, Planning and Legislative Budget, Muhammed Kabir Suleiman, and Ag. Director, Finance and Supplies, Bukoye Lasisi. Also, the agency visited PAN, Kaduna from where various documents were recovered and wrote to several banks and other establishments including the Code of Conduct Bureau and the Corporate Affairs Commission.

The conclusion reached by the EFCC after a thorough investigation showed that:

- a. there was a contract between the House of Representatives and Peugeot Automobile Nigeria (PAN) Ltd which occasioned the payment of the sum of #2,359,486,500,
- b. the sum of #414,171,920 was transferred from the PAN account in Zenith Bank to ASD Motors account in the Same bank,
- c. the account officer in charge of verification of all payment vouchers of contract awarded by the House of Representatives, Mrs Bolanle Iyomere, stated she did not sign the vouchers for the payments of the 380 units of the Peugeot 407 supplied to the National Assembly. (Mbamalu, 2010:16).

Also associated with corrupt practices was the recent allegations of financial misuse against the Speaker of the House of Representatives, Dimeji Bankole and the leadership of the House raised by the “Progressives” (Jimoh, 2010:8). This allegation turned the entire House into a battle ground in which eleven members that constituted the “Progressives” were suspended by the Speaker of the House of Representatives in order to cover up the alleged scandal.

### **Political corruption and its dilemma on Nigeria’s democracy**

Kalu Ezera (1960) had pointed out long ago that Nigerian leaders were determined to make democracy work in their country (Ezera cited in Akintunde, 1976; 3). This became an infallible fact when most of the first Republic Nigerian leaders confirmed this reality in different quarters. Thus at his address to the students of Ahmadu Bello University reproduced in 2002 (Awolowo, 2002: 9) entitled “Representative Government: Theory and Practice”, Awolowo (2002) claimed that democracy was the best form of government. Both Azikiwe and Sardauna of Sokoto had said respectively that ‘In my humble opinion democracy is the hope of a confused world’ ‘We are working on the principles of democracy in this Region’ (Akintunde, 1967:3). Nwabueze (2010) had recently supported the fact that no other form of government so devised by mankind can function effectively like democracy.

It was the enthusiasm to make it function that the nationalists brought it into existence in Nigeria. But having made the British parliamentary democracy a political reality, Nigeria did not develop the same qualification inherent in British political system: sound economic base developed during industrial revolution, and exploitation of colonial territories and foreign peoples.

The fact remains that Nigeria lacks all these. She was not nor now having colonies and foreign peoples to exploit, the post colonial economy was not restructured after the departure of the colonialists. However, because of poor economic base, the degree of those who participate in politics increased geometrically because everybody sees politics as a way of getting rich quick; and in the words of Akintunde (1967) ‘In the circumstances of Nigeria, and in most of the developing countries, any serious attempt to introduce Western democracy must involve corruption’.

Nigerian politicians were poor in their initial entering into politics even now. Those who entered into politics did that with the hope of amassing staggering wealth in their political offices. The corrupt practices that riddled the first attempt at democratic practice brought the administration into untimely end. In the fulfilment of seeing democracy as the best form of government lured Nigerians back to it between 1979 and December 31 1983. But like the first experiment, the Second Republic collapsed like a pack of cards under high condemnation of corruption. The then Head of State, Rtd Major General Buhari (1985) put it thus:

Our own society of the early 80s was clearly on the road to unmitigated disaster, through such brazen corruption as would be hard to beat anywhere, at anytime. Given the utter failure of exhortations and mild punishment in the past, we concluded that the scale of the problem called for extraordinary punishment (cited in Adamolekun, 1985: 90)

However, a series of jail terms and other seizure of properties seemed not to serve as deterrent to these politicians but the fact remains that these corrupt practices have been retarding the political and economic growth of the country. Rather than subsiding, the passage of the Third Republic and the dispensation of the Fourth Republic have been adding much weight to corrupt practices. Transparency International (TI) that released its Corruption perception Index in October 2010 showed that Nigeria ranked 134 out of 178 countries (Oguejiofor-Abuju, 2010: 16). As it is now, nobody seems to have confidence on democratic rule any longer because of the readiness of the operators to corrupt themselves.

### **Instruments for combating corrupt practices: how effective**

Corrupt practices have become endemic in Nigeria's Political system. The Nigeria's Police in an attempt to fight corruption in the country has failed as this agency is also corrupt. The Obasanjo's administration in order to fight corruption brought into existence the Independent Corrupt Practices and the other Related offences Commission (ICPC) Act in 2000 and Economic and Financial Crimes Commission (EFCC) Act in 2004 (Ukuwuoma, Olawale, Ndujike and Nejuvie, 2008:28)

The Independent Corrupt Practices and other Related Offences (ICPC) was inaugurated on September 29, 2000 to fight against corruption. It was to receive compliant, investigation and prosecuted offenders. The agency is also to educate and enlighten the public about and against bribery, corruption and related offences. The duties of the Commission are spelt out under section six of the act as follows;

- a. where reasonable grounds exist for suspecting that any person has conspired to commit or has attempted to commit or has committed an offence under this Act, or any other law prohibiting corruption, to receive and investigate any report of the conspiracy to commit, attempt to commit or the Commission of such offences, and in appropriate cases, to prosecute the offenders.
- b. to examine the practices, system and procedures of public bodies and where, in the opinion of the Commission, such practices, systems or procedures aid or facilitate fraud or corruption to divert and supervise a review of them.
- c. to instruct, advise and assist any officer, agency or parastatals on ways by which fraud or corruption may be eliminated or minimised by such officer, agency or parastatal,
- d. to advise heads of public bodies of any changes in practices, system or procedures compatible with the effective discharge of the duties of the public bodies as the Commission thinks fit to reduce the likelihood or incidence of bribery, corruption and related offences,
- e. to educate the public on and against bribery, corruption and related offences and,
- f. to enlist and foster public support in combating corruption (Olajide, 2009:23).

The Economic and Financial Crimes Commission (EFCC) is the second anti-corruption agency set up with the EFCC Act of 2002 with an amendment in 2004. The Commission shall consist of the following members:

- a. a chairman who shall-
  - I. be the Chief Executive and Accounting Officer of the Commission.
  - II. be a serving or retired member of any government security or law enforcement agency not below the rank of Assistant Commissioner of Police or equivalent; and
  - III. Possess not less than 15 years cognate experience,
    - b. the Governor of the Central Bank or his representatives; and
    - c. a representatives each of the following Federal Ministries
      - i. Foreign Affairs,
      - ii. Finance,
      - iii. Justice.
    - d. the Chairman National Drug Law Enforcement Agency or his representatives,
    - e. the Director of-
      - I. the National Intelligence Agency,
      - II. the Department of State Security Services or his representative,
      - f. the Registrar- General of the Corporate Affairs Commission or his representative,
      - g. the Director- General; Securities and Exchange Commission or his representative,
      - h. the managing-Director; Nigeria- Deposit Insurance Corporation or his representative
      - i. the Commissioner for Insurance or his representative
      - j. the Postmaster-General of the Nigerian Postal Services or his representative
      - k. the chairman, Nigerian Communication or his representative,
      - l. the Comptroller-General, Nigeria Customs Services or his representative,
      - m. the Comptroller- General Nigeria Immigration Services or his representative
      - n. a Inspector General of Police or his representative
      - o. four eminent Nigerians with cognate experience in any of the following , that is finance, banking or accounting; and
      - p. the Secretary to the Commission who shall be the head of administration.

With respect to the functions of the Commission, it shall be responsible for-

- a. the enforcement and the due administration of the provisions of this Act,
- b. the investigation of all financial crimes including advance free fraud, money laundering, counterfeiting, illegal charge transfers, futures market fraud, fraudulent encashment of negotiable instruments, computer credit, card fraud, contract scam, e.t.c.
- c. the co-ordination and enforcement of all economic and financial crimes laws and enforcement functions conferred on any other person or authority,
- d. the adoption of measures to identify, trace, freeze, confiscate or seize proceeds derived from terrorist activities, Economic and Financial Crimes related offences or the properties the value of which corresponds to such proceeds,
- e. the adoption of measures to eradicate the Commission of economic and financial crimes,
- f. the adoption of measures which includes coordinated preventive and regulatory actions, introduction and maintenance of investigation and control techniques on the prevention of economic and financial related crimes,

- g. the facilitation of rapid exchange of scientific and technical information and the conduct of joint operations geared towards the eradication of economic and financial crimes,
- h. the examination and investigation of all reported cases of economic and financial crimes with a view to identifying individuals, corporate bodies or group involved.
- i. the determination of the extent of financial loss and such other losses by government, private individuals or organizations,
- j. collaborating with government bodies both within and outside Nigeria carrying on functions wholly or in part analogous with those of the Commission concerning:
  - i. the identification, determination of the whereabouts and activities of persons suspected of being involved in economic and financial crimes
  - ii. the movement of proceeds or properties derived from the commission of economic and financial and other related crimes,
  - iii. the exchange of personnel or other experts,
  - iv. the establishment and maintenance of a system for monitoring international economic and financial crimes in order to identify suspicious transaction and persons involved,
  - v. maintaining data, statistics, record and reports on persons, organization proceeds, properties, document or other items or assets involved in economic and financial crimes,
  - vi. undertaking research and similar works with a view to determining the manifestation, extent magnitude, and effects of economic and financial crimes and advising government on appropriate intervention measures for combating same.
- k. dealing with matters connected with the extradition, deportation and mutual legal or other assistance between Nigeria and any other country involving Economic and Financial Crimes,
- l. the collection of all reports relating suspicious financial transactions, analyse and dissemination to all relevant Government agencies,
- m. taking charges of supervising, controlling, coordinating all the responsibilities, functions and activities relating to current investigation and prosecution of all offences connected with or relating to economic and financial crimes,
- m. the coordination of all existing economic and financial crimes, investigating units in Nigeria,
- o. maintaining a liaison with office of the Attorney- General of the Federation, the Nigerian Customs Service, the Immigration and Prison Service Board, the Central Bank of Nigeria, the Nigeria Deposit Insurance Corporation, the National Drug Law Enforcement Agency. All government security and law enforcement agencies and such other financial supervisory institutions in the eradication of economic and financial crimes,
- p. carrying out and sustaining rigorous public and enlightenment campaign against economic and financial crimes within and outside Nigeria and,
- q. carrying out such other activities as are necessary or expedient for the full discharge of all or any of the functions conferred on it under this Act.

In 2003, the ICPC suffered a set back when the defunct National Assembly scrapped the Commission by revoking the Act 2000 that brought it into existence but Abuja

Federal High Court declared such move as null and void on the ground that the law was passed without following due process.

Pertinent it is to point out that the ICPC has recorded some degree of success in the primary objectives of being deterrent promoting institution. It has recorded success in concluding investigation on many cases made up of several public officials, former governors, ministers and high court judges. ICPC has been thorough in its investigation as it ensures a proper investigation before placing offenders names in the public domain. It apologies to people who have either been wrongly accused, wrongly arrested or wrongly prosecuted (Zakari, 2010:6). A good example where this had been demonstrated was when ICPC wrongly accused Mr. Segun Oni, the Governor of Ekiti State of diverting and misappropriating the funds meant for local government councils in the state. However, after discovering that the investigation was wrong, the ICPC sent a letter of apology to Governor Oni.

The government has also strengthened the powers of the ICPC and has equally eased the constraints of slow judicial process that has delayed the conclusion of cases that the commission has no far placed before the regular courts.

The EFCC under the leadership of Nuhu Ribadu has been quite effective in carrying out its Statutory roles and its activities has made newspaper headlines (Bello, 2005:1, Adesina, 2005:16). The leadership of the commission has shown strong commitment to tackling the financial crime, money laundering and other economic misconducts that have created difficulties for the country ( Obasanjo, 2003: 8 and 9).

Even after the change of leadership of EFCC from Ribadu to Farida, the EFCC has not relented in its fight against corruption. As an anti-corruption agency, people still take their complaints to it as the cases of corrupt practices in the House of Representatives have shown.

To a certain extent, these legal frameworks for fighting corruption have been effective. They have been able to expose even those who claim to be above the law of the land. There has been much fear unlike before the existence of these instruments for combating corruption. There have been cases where the arrival of members of both ICPC and EFCC has been making corrupt politicians to take to their heels.

## **Conclusion**

This paper has considered the pivotal issue in Nigeria, Political corruption and dilemma of Democracy in Nigeria's fourth republic. Corruption has become endemic in the country's political system. This monster has taken root before the country became independent and has grown rapidly thereby endangering the country's democracy.

Corruption became a dominant factor for staging the first coup in Nigeria. The Second Republic was equally swept into oblivion as a result of corruption. Diamond (1984:906) graphically put this when he stated that " This decay (in Nigeria) had three components: Staggering corruption, crippling economic waste and mismanagement, and the vitiating of the electoral process through violence and fraud". This degree of corruption has grown beyond what Diamond was describing in relation to the Second Republic.

The advent of the fourth republic worsened the rate of political corruption in the country (Onyekakeyah,2010:79) as the Nigerian society makes thieves kings while good people are regarded as fools.

## References

- Adesina, Debo (2004), "The Problem of Corruption in Nigeria" *The Guardian* (Lagos): November 1.
- Adesina, Debo (2005), "To fight Corruption" *The Guardian* (Lagos): October 20.
- Adesina, Debo (2008), "Bribery Scandals and the Nigerian nation" *The Guardian* (Lagos): September 14.
- Adamolekun, Ladipo (1985), *The fall of the Second Republic*. Ibadan: Spectrum books.
- Akintunde, J.O (1967) "The Demise of Democracy in First Republic of Nigeria: A Casual Analysis", Odu, *Journal of African Studies* vol.4 No.1 pp.3-28.
- Awolowo, O (2002), "Representative Government: Theory and Practice" being a reproduced speech delivered by Obafemi Awolowo to students of Ahmadu Bello University on Friday December 6, 1975 in *The Guardian* (Lagos): October 1 p. 9.
- Bello, Niyi (2005), "EFCC to seize governors' \$17 billion foreign assets" *The Guardian* (Lagos): October 13.
- Diamond, Larry (1984), "Nigeria in Search of Democracy", *Foreign Affairs* Spring vol. 62 part 2. pp. 905-927.
- Diamond, Larry (1991), "Political Corruption Nigeria's Perennial Struggle", *Journal of Democracy* Vol.2 No.4 pp.73-85.
- Eke, Emma (1999), "Experts proffer Solutions to Corruption" *The Guardian* (Lagos): June 27.
- Farotimi, Oluwole (2010) "Over \$10bn Freight from Nigeria monthly" *Daily Sun* (Lagos): July 21.
- Huntington, Samuel (1996), "Democracy for the long haul", *Journal of Democracy* vol.7 No.2 pp3-13.
- Jimoh Momoh, Ogbodo Abba and Agbana Omololu (2007) "Assembly, Mark Clear Etteh, deputy over alleged scam", *The Guardian* (Lagos): September 3.
- Jimoh, Momoh (2010), "Why lawmakers turned chambers into brawling circus" *The Guardian* (Lagos) June 24.
- Mbamalu, Marcel (2010) "EFCC Report Indicts House Principal Officers" *The Guardian* (Lagos) June 27.
- Nwabueze, B (2010), "Strengthening the Foundations and Institutions of Democracy in Africa" in *The Guardian* (Lagos) January 21 p.49.
- Nwagwu, Mark (1994) "Beyond the double Helix Biology and Social Order," University of Ibadan lecture.
- Nyirabu, Mohabe (2002) "The Multiparty Reform Process in Tanzania: The Dominance of the Ruling Party" *African Journal of Political Science* vol.7 No.2 pp.99-112.
- Obasanjo, O (2003) "Nigeria: From pond of corruption to island of integrity" *The Guardian* (Lagos): November 13.

- Oguejiofor-Abugu F (2010), “Nigeria and the Global Corruption Index” in *The Guardian* (Lagos): November 2 p.16.
- Oloja, Martins (2009), “Yar’Adua speaks, vows to break corruption, power jinx” *The Guardian* (Lagos): April 27.
- Olajide, Bukky (2009) “Corruption: An eternal bogey in Nigeria. *The Guardian* (Lagos): May 13.
- Onyekakeyah, Luke (2010) “Why corruption persists in Nigeria” *The Guardian* (Lagos): June 15.
- Tignor, Robert (1993) “Political Corruption in Nigeria before Independence”, *Journal of Modern African Studies* vol.31 No.2 pp.125-202.
- Ugbolue, Henry (2000) “The fall of Okadigbo” *The News* August 14.
- Ukwoma, B. Olawale, R.Ndujihe C and Nejuvie I (2008) “Raising the Stake in the fight against corruption in the country” *The Guardian* (Lagos): July 11.
- Umukoro, Matthew (2008) “The anatomy of corruption” *The Guardian* (Lagos): September 29.
- Zakari, Ibrahim (2010) “The EFCC and selective persecution” *The Guardian* (Lagos) August 6.
- Report of the Committee appointed to look at Corrupt practices of Senator Okadigbo and others otherwise known as the Kuta’s Panel.