

## A REVIEW OF LEGISLATIVE CORRUPTION IN THE NIGERIA'S FOURTH REPUBLIC

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### ABSTRACT

*Corruption is not a recent development; its existence has long history. It is indeed a product of social, political, economic and historical circumstance. The vice is antithetical to progress and development as it affects quality of governance and accountability. Virtually all institutions of government in Nigeria nurture this monster called corruption including the legislature. The primary responsibility of the legislature is to make law but unfortunately, the institution is noted for gross misconduct, acquisition of wealth through illegal means as well as lack of morals and value system. The study therefore reviews legislative corruption in the Nigeria's Fourth Republic. Both primary and secondary sources of data collection methods were employed for the study. The primary data were collected through the administration of questionnaire and in-depth interview. Simple random and purposive sampling techniques were used to select forty (40) academia majorly Senior Lecturers from: ObafemiAwolowo University, Ile-Ife, (Osun State), University of Ibadan, (Oyo State) and The Polytechnic, Ibadan (Oyo State). In addition, Twenty (20) staff of EFCC and ICPC from both Lagos and Ibadan respectively and Forty (40) members of the public drawn from Ibadan North Local Government totaling One Hundred were selected. The selection is premised on the fact that the respondents have vast knowledge on the incidence of legislative corruption in the Nigeria's Fourth Republic. The cumulative effect of societal pressure, penchant for show off and drive for political perpetration have escalated the corrupt tendencies of the Nigeria legislature. The study found out that legislative corruption is detrimental to the survival and growth of the Nigerian democratic system.*

**Keywords:** *Corruption, Legislature and Fourth Republic*

### INTRODUCTION

The principle of separation of power is the major ingredient of democracy which guarantees that the executive arm of government does not control the affairs of the legislature nor the judiciary. The doctrine of the separation of powers implies that there should be three separate organs of government with their separate sets of functions and powers. The presidential system of government being practiced in Nigeria makes provision for separation of powers, apportioning disparate powers and duties to the executive, legislative and judicial arms of government. Essentially, the legislature as a symbol of true democracy makes laws which the executive is under obligation to implement. The judiciary is legally called upon in the determination of civil rights and obligations to interpret the laws. This system of government understands from the onset that powers may be abused and therefore introduced a system that guarantees checks and balances amongst the three arms of government. Therefore, through the power of interpretation, the courts can declare laws made by the legislature unconstitutional, null and void and of no effect whatsoever. On the other hand, the legislature has the power of oversight over the execution and administration of laws by the executive.

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The executive holds the powers of investigation, coercion and implementation of laws and can as well use these powers to call the legislature and judiciary to order (Onyekpere, 2012). In other words, it implies that the three organs of government should be kept apart from each other in the interest of individual liberty and it is a perfect system created for the overall benefit of the citizens.

The functions of the government should be differentiated and performed by different organs consisting of different bodies of persons so that each department be limited to its respective sphere of activity and not be able to encroach upon the independence and jurisdiction of another (Johari, 1989). The principal function of the executive is to execute laws, orders, rules, regulations, decrees, prevention of the breaches of law, rendering a host of social welfare services and meting punishment to the delinquents so as to maintain peace and good government.

On the other hand, in spite of its primary function of legislating laws, amending or repealing existing laws, the legislature serves a number of overlapping objectives and purposes to improve the efficiency, economy, and effectiveness of governmental operations; evaluate programmes and performance; detect and prevent poor administration, waste, abuse, arbitrary and capricious behavior, or illegal and unconstitutional conduct; protect civil liberties and constitutional rights; inform the general public and ensure that executive policies reflect the public interest; gather information to develop new legislative proposals or to amend existing statutes; ensure administrative compliance with legislative intent; and prevent executive encroachment of legislative authority and prerogatives encapsulates in oversight functions. It also executes the functions of oversight over the actions or inactions and other activities of the executive and its agencies.

The legislature as a significant institution of democracy consists of elected representatives of specific political constituencies constitutionally empowered to make laws and oversee the government (Lafenwa, 2009; Loewenberg, 1995). The legislature is the hallmark of electoral democracy since it embodies the democratic spirit of popular participation and representation (Bello-Imam, 2004). Considering that the legislature is 'the collective defender and watch dog of the aspirations, ideals and collective will of the people' (Odinga, 1994), it suffices that 'any attack against the organisation, composition or functioning' (Bello-Imam, 2004) of the legislature poses serious obstacle to democracy. Generally, the legislature differs in composition, structure and function globally; however its representational, lawmaking, appropriation and oversight functions are universal and germane to deepening democracy (Lafenwa, 2009).

The functions of the federal and state legislature in Nigeria according to the 1999 constitution include lawmaking, oversight and investigation, watchdog of public funds, and representative functions (Lafenwa, 2009). Therefore, the legislature within the framework of the constitution remains the foremost anticorruption, accountability and probity institution in Nigeria (Alabi and Fashagba, 2010). Specifically, the legislature has powers to make laws that will strengthen the capacity of public institutions to curb corruption and amend rules that undermine probity in government. It is empowered to create accountability and transparency institutions to enhance honesty in government and society (Alabi and Fashagba, 2010). This function of the legislature was evident during the establishment of the EFCC and Independent Corrupt Practices and Other Related Offences Commission (ICPC), two anticorruption agencies that have been at the forefront of the war on corruption in Nigeria. Besides, the appropriation and oversight functions of the legislature allow it to protect public funds and ensure prudent management of government resources. Significantly, the legislature is empowered to check abuse of power and arbitrariness by the executive (Alabi and Fashagba, 2010; Lafenwa, 2009). These essential functions of the legislature in Nigeria underscore its democratic essence as the bastion of the people's will and its importance to the deepening of democracy and responsible governance (Alabi and Fashagba, 2010). However, the legislature in Nigeria rather than being alive to its constitutional responsibility of combating corruption in government and society has been overshadowed by allegations and evidence of large scale corruption.

The legislature in Nigeria especially the National Assembly (The Senate and House of Representatives) has been overwhelmed by numerous corruption scandals since its inauguration in 1999. It is important to stress that the challenges confronting the legislature following the restoration of democracy in Nigeria should be understood within the context of protracted military rule and the nature of Nigerian politics. The constant dissolution of the legislature after past military coups denied the legislature the time and continuity required to strengthen its capacity to perform its constitutional functions (Fashagba, 2009). However, the tendency for the Nigerian ruling elites to regard politics as an investment, and personalise state power and institutions are significant factors underlying the corrupt activities of legislators (Alabi and Fashagba, 2010; Muhammed, 2007). The fact that some of the legislators are products of fraudulent elections masterminded by political godfathers who are motivated more by monetary rewards they get from influence peddling partly underscores this point.

There is strong consensus in the literature that political corruption whether among legislators or executive members of government is detrimental to democracy. Yinusa and Basil (2008) contend that political corruption erodes interpersonal and public trust in government and affect support for democracy. Chang and Fu Hu (2003) suggest that political corruption undermines institutional trust necessary for the legitimacy of government and deepening of democracy. Moreover, Robinson (2004) observes that the denial of citizen's access to public goods resulting from political corruption is concomitant to violation of their human rights. Similarly, democratic values of the rule of law, accountability, transparency, and probity are perverted in an atmosphere of widespread corruption. This dampens citizens' morale and motivation to participate effectively in the democratic process. Hence, political corruption constitutes a threat to popular participation and to democratisation (Inokoba and Ibegu, 2011).

The magnitude of corruption in the legislature portends grave danger for democracy in Nigeria. A strong legislature as Ake (1996) argues is essential for democracy to engender popular participation. However, a compromised and corrupt legislature threatens the viability of democracy. The permissiveness of corruption in the legislature has weakened the capacity of the legislature to effectively perform its duty of strengthening accountability and transparency in Nigeria. The revelations of corrupt practices among law makers undermine their moral authority to entrench probity in government (Alabi and Fashagba, 2010). Besides, corruption in the legislature has debilitating effects on governance in Nigeria. The making of laws to favour the powerful in society instead of the public repudiates the democratic principles of rule of law, equality and justice (Inokoba and Ibegu, 2011).

Similarly, a corrupt legislature tends to compromise its constitutional power to protect citizens against the arbitrariness of the executive (Kwaghga and Echikwonye, 2011). The result is the blatant manifestation of misrule, abuse of power and electoral process, and human rights violation which are evidence of the country's descent towards political authoritarianism (Fagbadebo, 2007). Furthermore, corruption in the legislature undermines the fight against corruption and democracy. Corrupt legislators are known to use their legislative powers to scuttle the activities of accountability and transparency institutions and amend laws they perceived threaten their corrupt practices (Alabi and Fashagba, 2010). The amendment of the Independent Corrupt Practices and Other Related Offences Commission law by the Senate in 2003 under the guise of strengthening the performance of the agency according to Abdullahi (2004) was to weaken the investigative and prosecutorial powers of the agency. Similarly, the National Assembly was criticised for its reluctance at the initial stage in passing into law the Freedom of Information legislation meant to facilitate the unhindered access by civil society and mass media to information in public institutions (Alabi and Fashagba, 2010). Corruption among lawmakers in Nigeria erodes public confidence in the legislature as a democratic institution and its capacity to perform its responsibility. The trust of citizens on the effectiveness and impartiality of the institutions of government is germane to democratic sustenance (Diamond, 2008).

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Equally, the failure of democratic governance to meet the high expectations of most Nigerians that the fourth republic democratic experience would provide the basis for the state and its managers to supply their basic needs, and improve their socio-economic welfare due in part to corruption among legislators undermines popular trust in democracy.

Therefore, pervasive corruption in the legislature in Nigeria is concomitant to the lost of public trust in a key democratic institution (Muhammad, 2007). The decline in the public approval of the performance of the National Assembly from 58% to 23% between 2001 and 2005 (Diamond, 2008) illustrates the increasing frustration by most Nigerians with widespread corruption among legislators. Such public dissatisfaction has contributed to the passive participation of most Nigerians in the decision making process and government with dire implications for political stability and democratic consolidation.

It is on account of the above analysis that this paper reviews legislative corruption in the Nigeria's Fourth Republic.

### **Statement of the Problem**

The challenge of corruption has been known as a major significant factor in the quest for growth in Nigerian society. Today, Nigeria socio-political and economic spheres have been characterized by democratic fraud and subversions, humans right abuses, violence and crisis riddle, leadership with questionable integrity and corrupt practices of all dimensions. The devastating effects of corruption in the nation have manifested in lopsided distribution of wealth, malfunctioned or decayed infrastructure and degrading living conditions among a great proportion of the citizenry. These have impacted negatively on all aspects of the developmental agenda.

Corruption is everywhere - the executive, the judiciary and the legislature. All these organs of government are not free from the problem of corruption although, the degree of corruption varies from one organ to the other. The devastating impact of legislative corruption on socio-economic and political development in Nigeria is well established in the literature. Politically, Ogundiya (2010) contends that corruption contributes to the subversion of elections, rule of law, popular legitimacy and responsible governance in Nigeria. Besides, Folorunsho (2007) demonstrates that corruption is in part responsible for the decline in economic growth and investment in Nigeria. Moreover, the problems of poverty, collapsed infrastructure, and unemployment in Nigeria can be attributed majorly to widespread corruption in the polity (Alanamu, Adeoye, and Yinusa, 2009). Political corruption which involves the 'abuse of entrusted power by political leaders for private gain' (Heidenheimer and Hodess, 2004) assumed a scandalous proportion in Nigeria with the return of democracy in 1999. Nigeria reportedly lost an average of \$4 billion - \$8 billion annually to corruption between 1999 and 2007 (Mustapha, 2010).

The consistent ranking of Nigeria among the highly corrupt nations by the global anti-corruption agency Transparency International (TI) during the period, and the startling revelations by the Economic and Financial Crimes Commission (EFCC) Nigeria's anti-corruption watchdog of billions of dollars of state fund allegedly stolen by politicians and political leaders underscore the pervasiveness of corruption in the polity since the restoration of democratic rule. The financial recklessness of the senate house and lack of decorum in which the activities are conducted have smeared the image of the legislature such that one begins to wonder whether or not its role is supportive for good governance. The leaders of the house have been accused and indeed impeached for various corrupt practice and financial scam while on a number of occasions; the law-makers had resorted to self-help on the floor of the house to settle issues of serious legislative importance (Dunmoye, 2005). The National Assembly is found wanting economically in the use of tax payers' funds in the discharge of its legislative duties. The funds are appropriated without recourse to the cry of the poverty stricken majority of people. This study therefore investigates causes of corruption in the legislature with reference to Nigeria's fourth republic and effort of successive administration in combating the menace of corruption especially as it is ravaging the legislative chamber of the federal republic of Nigeria.

### Research Questions

The following research questions, among others, serve as a guide to this paper.

- a. To what extent has legislative corruption undermines the credibility of legislative institution in Nigeria?
- b. What are the major causes of corruption in the legislative chamber of the Nigeria's fourth republic?
- c. Are there mechanisms put in place to check the prevalence of corruption in the legislature?
- d. What are the constitutional roles of the legislature in democracy?

### Research Objectives

The broad objective of this study is to review legislative corruption in the Nigeria's fourth republic while specific objectives are to:

- i. analyse the incidence and dynamics of legislative corruption in Nigeria since 1999.
- ii. identify the major causes of corruption in the legislative chamber of the Nigeria's fourth republic.
- iii. examine the institutional mechanisms put in place for combating legislative corruption in Nigeria's fourth republic.
- iv. evaluate the constitutional roles of legislature in the democracy.

### Conceptual Clarification

The menace of corruption in Nigeria is endemic and on the increase despite several attempts even by successive governments to ameliorate the blight. The issue is global and it is without a uniform definition. In Nigeria, corruption has become the order of the day happening among the young and the old, the politician and the non-politician as well as military and the non-military. The unstoppable social economic scourge has suggested different meanings to different scholars from different schools of thought. Salisu (2000) simply defined corruption as the misapplication of public resources to private ends. This among others include the public officials collecting bribes for issuing permits licenses for authorizing passage of goods at sea/airport, passports or visa, for awarding contracts or for enacting regulations designed to create artificial scarcity, awarding undeserved score or grades to students after exam, availing question papers to students before examination, and at times it may come in the form of sexual or other forms of ratifications. The World Bank (1996) defined corruption as "the abuse of public power for private benefit". The Transparency International (2005) defined it as "the abuse of entrusted power for private gain". Corruption also includes bribery, smuggling, fraud, illegal payments, money laundering, drug trafficking, falsification of documents and records, window dressing, false declaration, evasion, underpayment, deceit, forgery, concealment, aiding and abetting of any kind to the detriment of another person, community, society or nation. Khan (1996) defined corruption as an act which deviates from the formal rules of conduct governing the actions of someone in a position of public authority because of private - regarding - motive such as wealth, power or status. Otite (2000) defined corruption as perversion of integrity or state of affairs through bribery, favour or moral depravity" ... It takes place when at least two parties have interacted to change the structure or processes of society or the behaviour of functionaries in order to produce dishonest, unfaithful or defiled situations. In other words - corruption is a systematic vice in an individual, society or a nation which reflects favoritism, nepotism, tribalism, sectionalism, undue enrichment, amassing of wealth, abuse of office, power, position and derivation of undue gains and benefits. Windsor and Getz (2000) broadly defined corruption as socially impermissible deviance from some public duty or more generally some ideal standard of conduct. Corruption also could be youth based among which includes cybercrime (yahooyahoo), thuggery, permutation, pilfering, drug peddling, paid assassins, kidnapping, prostitution, militancy, book-haram and 419 syndromes, plagiarisms among others.

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The definitions of these authors commonly agreed that corruption manifests for personal gratification and therefore it is anti-economic, or political. It erodes the values system of the economy.

### **Cases of Corruption in the Legislature 1999 till Date.**

It has been revealed above that the constitutional mandate of the National Assembly made up of the House of Senate and the Federal House of Representatives is to make law, to promote good governance and curb social vices in the country. This section is an assessment of the activities of the Federal House of Assembly and corruption in Nigeria. Our position in this paper is that, the Federal House of Representatives are not only weak in making laws to check the menace of corruption, the assembly itself is neck deep in corruption as evident from the cases below. The Fourth Republic in the Federal House of Representatives started on a wrong footing with SalisuBuhari, the speaker accused of falsification of academic claim. He was forced to resign and arraigned before he received presidential pardon. An unnamed member of the House of Representatives in 2002 was alleged to have taken money from the executive to impeach the speaker. Maurice Ibekwe a member of the House was equally alleged to have defrauded a German businessman of N350,000 and 75000. He died in prison while still under trial (Alabi and Fashagba 2010). Patricia Etteh Nigeria's first female speaker of the House of Representatives was removed for corrupt charges. She became speaker after the House inauguration on June 5, 2007, and was ousted in November of the same year. It was alleged she approved over N600 million for the purchase of body massage machines (Suleiman, 2011). She was equally accused of approving N238 million for renovation of her official quarters without going through due process (Demola 2011). Bankole took over from Patricia Etteh on 1st November 2006. In his inaugural speech he promised to nudge the House towards a new direction of transparency and accountability (Desmond, 2011). Evidences on ground however, portrayed that he did exactly the opposite. In fact, the House grew from bad to worse under him. In 2008, the House purchased about 380 Peugeot 407 cars. The process for the purchase of the cars for the standing committees of the house generated a huge controversy and protracted crisis in the house to the point that EFCC was alerted (Demola, 2011). In short, Demola (2011) detailed the activities of the speaker (DimejiBankole) in the car deals in which the country lost about N2.4 billion to sharp practices. It was noticed that the actual cost of 380 Peugeot 407 cars direct from Peugeot Automobiles Nigeria, PAN, Kaduna was N1,938,000.000, the house leadership paid the supplier N2,359,486,500. A breakdown of the transaction revealed over payment of N417, 486,500. Also, going by the number of cars that were purchased from the manufacturers, the house was entitled to at least 10 percent discount of N235,948,650 which did not reflect in the purchase.

Shortly after then, the speaker (DimejiBankole) and the body of principal officers approved the purchase of four units of Range Rover (V8), three units of Mercedes Benz S-600 cars for the speaker and his deputy at N335.5 million. It was discovered that the prices of the vehicles were over inflated. Desmond, (2011) alleged that, there were claims that the contracts for the supply of the cars did not pass through any competitive bidding process before they were awarded to Wadata Global Company. The purchase of Toyota Lexus vehicle for the use of the chief whip at 13.7 million also sparked controversy. There were claims that the vehicle had been supplied at a cost of N12.5 million in the previous month before it was again awarded to another company at the cost of N13.7 million. The car deal scandal was investigated by the EFCC and subsequently indicted all the principal officers of the House for the colossal fraud. Hence the report was sent to the presidency although without being published (Demola, 2011). Other allegations against the speakership of the House (DimejiBankole) include the purchase of LCD 40 inch Samsung LNS 341 for member at 525,000 each against the open market price of 180,000 per unit. Bankole also authorized the purchase of 400 units of another type of television for 210m instead of 97.2m market price, resulting in a loss of 112.5m to country treasury. Other items procured at over-inflated prices include one unit of sharp copier 5316 at 270,000 as against open market price of 160,000; 800 units of Desktop (HP Compaq disc 5700) at 330,000 instead of 160,000, about 172.8m was fleeced from the nation's treasury on computer items alone (Demola, 2011).

But more damaging is the scandal that the House leadership squandered 9 billion capital votes, and obtained a 10 billion loan from the United Bank for Africa which was shared by member to prosecute their election campaigns (Suleiman 2011). Scandalously enough, the loan was to be repaid in bit from the allocation to the House in the 2011 budget, which has been well padded by the legislators. It was the refusal of the president Jonathan to sign the budget that exposed the scandal (Suleiman 2011). Apart from above avenues for sharp practices, Chris (2011) noted that the lawmakers milk the nation dry through jumbo allowances they approve and pay themselves without following due process. It was also discovered that the embattled speaker Dimeji Bankole at a time after obtaining a loan of 40 billion, jacked up his annual salary from 8million to 400million which was a violation of the approved remuneration package for political, public and judicial office holder by the Revenue Mobilization Allocation and Fiscal Commission (RMAFC). Tambuwal, speaking immediately after he was sworn in as the new speaker of the House (after Bankole failed in his election bid) said “we acknowledge that the dignity and integrity of this House have been called to question” (The News 2011:16 editorial comment). He reminded his colleagues later that:

*When we were elected to pursue the entrenchment of probity, accountability and transparency in the conduct of government business as a cardinal legislative agenda, we advised ourselves never to expect that it will be an easy task. Accordingly, I have had cause to occasionally sound a note of warning and reminder that our constitutional task is inescapably hazardous requiring total commitment, diligence, transparency, determination and sacrifice (cited in Anayochukwu 2012).*

Despite these warnings, Farouk Lawan, former member of integrity committee in the House and chairman of the oil subsidy probe committee, admitted collection from oil marketer, Femi Otedola \$620,000 bribe to delist his two companies Zenon Oil and Gas and Synopsis Enterprises Limited on the list of companies that corruptly got subsidy payments without importing the products (Anayochukwu, 2012).

On law making, it has been observe that the lawmakers have not been leaving to expectation. ItaEnang Chairman House Committee on the rules, disclosed at a time that out of 489 bills introduced into the House, only 187 has been passed leaving about 302 bills hanging. It is alleged that most of the legislators demand gratification before supporting a bill, no matter how important. For example, the lawmakers were alleged to have been given \$10million to pass the Petroleum Industry Bill (PIB) (Suleiman, 2011).

Nasiru Dantiye, a former House of Representative member from Jigawa said many of the legislators were ignorant about legislation while those who know were not committed. He added that, most of the lawmakers, most especially in the lower chamber do not know the essence of legislation as they see their business in the House as money sharing (Suleiman, 2011).

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**Table 1 Showing the Reported Cases of Corruption in the National Assembly, 1999 – 2009.**

1.	Names of Culprits	Status /Designation	Chambers	Years	Nature of Allegations	Outcomes
2.	Salisu Ibrahim	Speaker	House of Reps(HoRs)	1999	Falsified academic Claim	Forced to Resign and arraigned, received presidential parson
3.	Evans Enwerem	President	Senate	1999	Falsified age, names and academic qualification	Forced resignation
4.	Pius ChubaOkadigbo	President	Senate	2000	Awarded contract to cronies at inflated price	Impeached
5.	HarunaAbubakar	Deputy Senate President	Senate	2000	Embezzled #16.9 Million (\$140833) as Xmas and Sallah gift	Impeached
6.	Unnamed members	Members, HoRs	HoRs	2002	Took money from the executive to impeach the speaker	Allegation not Proved
7.	Maurice Ibekwe	Member	HoRs	2004	Defrauded a German businessman of #350000 and 75000	Died in prison while still under trial
8.	Ibrahim Mantu ledcommittee for screening political nominees	Deputy senate President	Senate	2003	Nasir el-Rufai allegedthat the committee requested for #54 million as a conditionfor confirming his nomination	Case swept under the carpet
9.	AdolphusWabara	President	Senate	2005	Connived with chairmen senate andHouse committees on educationto take bribeof #55million (\$458333) from education ministry.	Resigned, arraigned but prosecution inconclusive.
10.	JohnMbata, Abubakar Maccido, Emmanuel Chris Adighije AbdulazeezIbrahim	Leaders and members, senate committee on education	Senate	2005	As above	Chairman and vice lost the committee's leadership positions, arraigned, but prosecution inconclusive, but



11.	Garba, S. Matazu OsitaIzunaso GarielSuswam	Leader and members, house committee on education	HoRs	2005	As above	As above
12.	Ad-hoc committee that investigated PTDF case	Member	Senate	2006	Alleged to have takenbribe from the vicepresident to cover thetruth on PTDF stolenfund	Report rejected and new committee set up
13.	Patricia Etteh	Speaker	HoRs	2007	Award contract at inflated price of #628million (\$ 233,333)	Forced resignation
14.	IyaboObasanjo	Chairman, senate committee on health	Senate	2008	Collected #10million(\$83,333) as share ofsenate committee from unspent budget of 2007	Arrested and arraigned.
15.	IyaboObasanjo	Chairman, senate committee on health	Senate	2008	Alleged to have taken contract worth #3.5billion for power generation along side an Austrian firm, but failed to executive the contract after taken certain amount.	The crime was committed while Obasanjo, her father was the president
16.	Leaders and members of the HoRs	Leaders and members of various committees	HoRs	2005	Alleged to have collected money from ministries, departments and agencies of government (MDA) before approving their budget	DrHarunaYerima accused his colleagues in the house of extorting money from MDA before passing their budget
17.	DimejiBankole	Speaker	HoRs	2008	Alleged to have over invoiced the bill for the purchase of vehicles for oversight functions at the rate of #2.4billion	Cleared of allegation in a Controversial manner. Note: allowances for vehicle, housing and furniture among others are already monetized for public servants in Nigeria.

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18.	NdudiElumelu, and PaulinusIgwe; Mohammed Jibo	Chairman and Deputy Chairman of committee on power, Chairman, house committee on Rural development respectively	HoRs	2009	Alleged complicity in #5.2billion power contracts (The Nation, Tuesday, May12, 2009:p.1&2)	Arrested by Economic and Financial Crime Commission on 11th May, 2009, and arraigned in court on 13th and 18th May, 2009. remanded in Kuje prison between 18 <sup>th</sup> May and 4th June, 2009.
19.	Senator Nicolas YahayaUghani	Chairman, Senate Committee on Power	Senate	2009	As above	As above
20.	FarooqLawan	Chairman, House Committee on Fuel Subsidies	HoRs	2012	Diversions of \$6.8million of fuel subsidy fund.	Case swept under the carpet.
21.	FarooqLawan	Chairman, House Committee on Fuel Subsidies	HoRs	2013	Allegedly accepted the bribe of \$500,000 from Femi Otedola.	Arraigned but prosecution inconclusive.
22.	Dr. BukolaSaraki	Senate President	Senate	2016	i. possession of dual citizenship. ii. falsification of senate standing order. iii. embezzlement of public fund. iv. falsification of asset declaration.	Arraigned and prosecution continues.

*Sources: International Journal of Politics and Good Governance 2016*

### Institutions for Managing Corruption Cases in Nigeria

The unstoppable spread of corruption has necessitated anti corruption measures and strategies by successive governments to curb corruption at root. This includes the establishment of agencies, commissions and other bodies charged with the responsibility of curbing corruption. It also involves initiatives tailored at minimizing corruption to the barest minimum. These bodies and initiatives are as follows:

- i. Economic and Financial Crimes Commission (EFCC):  
EFCC was established in 2003 to complement the zero tolerance for corruption crusade of Obasanjo's administration. The anti-graft body was established by Economic and Financial Crimes Commission Establishment Act (2004). The Act mandates the EFCC to combat financial and economic crimes. The Commission is empowered to prevent, investigate, prosecute and penalise economic and financial crimes and is charged with the responsibility of enforcing the provisions of other laws and regulations relating to economic and financial crimes, including: Economic and Financial Crimes Commission Establishment Act (2004), The Money Laundering Act 1995, The Money Laundering (Prohibition) act 2004, The Advance Fee Fraud and Other Fraud Related Offences Act 1995, The Failed Banks (Recovery of Debts) and Financial Malpractices in Banks Act 1994, The Banks and other Financial Institutions Act 1991; and Miscellaneous Offences Act.

- ii. The Independent Corrupt Practices and Other Related Offences Commission (ICPC):  
The swearing-in of Chief OlusegunObasanjo on 29 May 1999, as the President of the Federal Republic of Nigeria, Commander-in-Chief of the Armed Forces was a political watershed for Nigeria after several years of military rule and it marked a new dawn for Nigeria in more ways than one, not least in the fight against corruption. At the time the civilian administration came into power, corruption in Nigeria had indeed become a full blown cancer. In 1999, Transparency International Corruption Perception Index rated Nigeria the second most corrupt nation in the world.

Although corruption is a global malaise, the extent of its reach in the country was tragically stupendous. All indicators showed that the spread of this cancer had become frightening. It pervaded private and public institutions and overwhelmed all levels of government.

The price of corruption has been extremely high. The economic, political, social and moral bases of the country have been severely eroded and degraded. It has brought Nigeria near the brink and almost rendered it helpless and hopeless. Even religious institutions, the gate keepers of the nation's moral conscience, were not immune to the ravages of the cancer. It became imperative that something drastic had to be done to arrest the rot. This impelled the commitment of the President to tackle corruption head-on.

The Corrupt Practices and Other Related Offences Act 2000 (Act 2000) brought a fresh and decisive perspective to the fight against corruption in the form of a holistic approach encompassing enforcement, prevention and educational measures. It captures in a single document, a host of corrupt offences in their old and sophisticated guises. It sets up the Independent Corrupt Practices and Other Related Offences Commission with wide-ranging powers. The Act brings under its purview all Nigerians, in the private and public sectors and even those public officers with constitutional immunity.

Independent Corrupt Practices And Other Related Offences Commission was inaugurated on September 29th, 2000 by the Nigerian President, Chief OlusegunObasanjo, GCFR.

The Commission is at the hub of Nigeria's fight against corruption. In the order set out at section 6 of the Act 2000, the first duty of the Commission is to receive complaints, investigate and prosecute offenders. Other duties reviewing and modifying the systems and procedures of public bodies as well as education of the public and fostering their support in combating corruption.

- iii. Code of Conduct Bureau (CCB):

The CCB was established in Nigeria in 1979 during the Second Republic after 13 years of military rule by the founding fathers of the first post-military constitution.

The 1979 Constitution provided a list of Codes of Conduct for public officers. The military administration of Murtala/Obasanjo inaugurated a Board before handing over power to the civilian government in July 1983, which could not make appreciable impact because of the inability of the National Assembly of the second republic to pass the enabling law. Several years later in 1989, the Bureau got its legal mandate under the Babangida regime.

The Code of Conduct provision has since then maintained a permanence of some sort, in the 5th schedule of all constitutions following thereafter; 1989, 1993, 1995,1999 and the current 1999 constitution (as amended).

## **METHODOLOGY**

The study reviews legislative corruption in Nigeria's fourth republic. The study utilized both qualitative and quantitative research methods. Qualitative and Quantitative data are gathered by using primary and secondary sources. The primary data were collected through the administration of questionnaire and in-depth interview. Simple random and purposive sampling techniques were used to select forty (40) academia majorly Senior Lecturers from: ObafemiAwolowo University, Ile-Ife, (Osun State), University of Ibadan, (Oyo State) and The Polytechnic, Ibadan (Oyo State).

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In addition, Twenty (20) staff of EFCC and ICPC from both Lagos and Ibadan respectively and Forty (40) members of the public drawn from Ibadan North Local Government totaling One Hundred were selected. The selection is premised on the fact that the respondents have vast knowledge on the incidence of legislative corruption in the Nigeria's Fourth Republic.

### Data Presentation and Discussion of Findings

*Table1 Showing Analysis of Questionnaire Distributed*

<i>Questionnaire Distributed</i>	<i>Frequency</i>	<i>Percentage (%)</i>
Total Number Distributed	100	100
Returned	84	84
Not Returned	16	16
Total	100	100

Source: Fieldwork, February, 2017.

*Table2 Showing Analysis of Respondent Views on Revenue Allocation and Service Delivery in the Nigerian Local Government.*

	Response	Frequency	Percentage%
Obasanjo launched anti-corruption crusade to fight against corruption in the legislature.	Agree	53	63.1
	Disagree	31	36.9
	Total	84	100
Corruption is more pronounced in the legislature compared to other institutions of government in Nigeria.	Agree	60	71.4
	Disagree	24	28.6
	Total	84	100
The rate of corruption in the legislature is very high especially under the current democratic dispensation.	Agree	57	67.9
	Disagree	27	32.1
	Total	84	100
Cases of corruption in the legislature should be investigated so as to protect the credibility of our democratic system.	Agree	46	54.8
	Disagree	38	45.2
	Total	84	100

Both upper chamber and the lower chamber be harmonized to produce uni-cameral legislature in order to combat the evil of corruption ravaging the legislature.	Agree	49	58.3
	Disagree	35	41.7
	Total	84	100
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The legislative seat should be made less attractive to reduce the urge for corruption in the legislature.	Agree	59	70.2
	Disagree	25	29.8
	Total	84	100
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There should be death penalty for any corrupt legislature.	Agree	54	64.3
	Disagree	30	35.7
	Total	84	100
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Shortage of funds as well as ineffective judicial institution affects anti-corruption crusade in Nigeria's legislature.	Agree	44	52.4
	Disagree	40	47.6
	Total	84	100
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Legislative corruption is detrimental to democratic sustenance in Nigeria.	Agree	50	59.5
	Disagree	34	40.5
	Total	84	100

### **DISCUSSION OF FINDINGS**

Questionnaires were distributed to 100 respondents equivalent 100% out of which 84 copies (84%) were retrieved. As shown in table 2 of this paper, it was discovered that 63.1% of respondents strongly agreed that Obasanjo launched anti-corruption crusade to fight against corruption in the legislature while others have contrary opinion. In addition, 71.4% of the respondents supported that corruption is more pronounced in the legislature compared to other institutions of government. Findings from the field revealed that 67.9% of the respondents strongly believed that the rate of corruption in the legislature is very high especially in under the current democratic dispensation. As shown on the table, it has been discovered that cases of corruption in the legislature should be investigated so as to protect the credibility of our democratic system. This is justified by 54.8%.

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Majority of the respondents 58.3% were of the opinion that both upper chamber and the lower chamber be harmonized to produce uni-cameral legislature in order to combat the evil of corruption ravaging the legislature. On the same table, 70.2% of respondents agreed that the legislative seat should be made less attractive to reduce the urge for corruption in the legislature while 29.8% disagreed. Findings from the field emphasized that there should be death penalty for any corrupt legislature. This is supported by 64.3%. From the table, shortage of funds as well as ineffective judicial institution affects anti-corruption crusade in Nigeria's legislature. This is justified by 52.4%. The paper identified legislative corruption as a detrimental factor to democratic sustenance in Nigeria. This is supported by 59.5%. Also corruption is more pronounced in the legislature compared to other institutions of government in Nigeria. This claim is justified by 71.9%.

### **CONCLUSION**

One Major challenge to Nigeria's search for enduring socio-economic, political and technological development as well as efficient and productive utilization of allocated resources in the millennium is the pervasive corrupt practices in the polity. Since the inauguration of democracy in Nigeria in May 1999 the legislature has been riddled with corruption and corrupt practices. It is important to note that the first issue that surrounded the House of Representatives in the first composed National Assembly of the Fourth Republic was the issue of forgery and perjury levelled against the then Speaker of the House of Representatives. Ever since then, the law-making body has been moving in a cycle of corruption and corrupt practices. As observed by Muhammed<sup>3</sup>, hardly does a year pass without the legislature being engulfed in one problem or the other bordering on corruption charges against it as an institution. From the field work conducted, it was discovered that the rate of corruption in the legislature is very high especially under the current democratic dispensation. This is supported by 67.9%. Also, corruption is more pronounced in the legislature compared to other institutions of government in Nigeria. This claim is justified by 71.4%.

The paper has not only reviewed legislative corruption in the Nigeria's fourth republic but it has also x-rayed the role of anti-corruption institutions such as EFCC, ICPC and Code of Conduct Bureau in combating corruption in the legislature.

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