

RELEVANCE OF LEGISLATIVE OVERSIGHT IN THE FIGHT AGAINST CORRUPTION IN NIGERIA

Nobert Chijioke ABAH¹ and Andrew O. OBIAJULU²

¹Department of Political Science, Nnamdi Azikiwe University, Awka, NIGERIA.

²Department of Sociology / Anthropology, Nnamdi Azikiwe University, Awka, NIGERIA.

Abstract

Legislative oversight is a robust mechanism institutionalized to check the excesses of the executive arm of government and government agencies, to minimise waste in governance, corruption and absolutism in the exercise of political power. This institution has, however, come under serious criticism as to its relevance in Nigerian democracy due mainly to perceived misuse. This study examines the relevance of legislative oversight in the attempt by the Nigerian government to minimise the incidence of corruption in the use of state power. The study is built around the theory of structural functionalism. Data for the study were generated from documentary materials and analysed through descriptive content analysis. The study reveals that this critical aspect of the functions of the legislature has been severely compromised and often misused. It also suggests that legislative oversight can become effective once again if greater value is given to citizenship through a reformed electoral process which gives more power to the vote and, ultimately, enhance the capacity of voters to control public officers through the possibility of rejection at the polls.

Keywords: Citizenship, Corruption, Democracy, Election, Executive power, Legislative oversight.

Introduction

The prime function of the legislature in any democracy is that of representation, such that its action should reflect the opinions and preferences of the entire citizenry. Hence the society is delineated into constituencies and every member of the society is specifically represented by a legislator or legislators in the parliament(s). Through deliberations and debates, therefore, the legislature gives expression to public opinion

which is expected to guide the government in shaping the proper focus of its policies and programmes (Jimoh, 1999).

All other functions of the legislature, including the making of laws, scrutiny and / or approval of government's budget as well as supervision and oversight of ministries, departments and agencies of government, approval of government appointees and impeachment of the chief executive, etc. all derive from this representation function to the extent that it is the people that act through their representatives in the parliament. Hence, as Okoosi-Simbine (2010) rightly pointed out, the legislature occupies a key position in the democratic process with the purpose of articulating the collective will of the people....The state of the legislature is the strongest predictor of the survival of every democratic development. This is because nature of the work of the legislature is the best expression of whether the government is of the people, by the people and for the people.

Given the significance of the role of the legislature in reflecting the will of the people in governmental action, this paper goes ahead to interrogate the claim in some quarters that the Nigerian National Assembly is largely composed of self-serving legislators who are more concerned about self-aggrandizement than the welfare of the people they represent. Against this background, we shall proceed to examine the fight against corruption in Nigeria since the return to democracy in 1999 and, within that scope, to examine the extent to which the National Assembly has aided this fight as it performs the statutory function of over sighting the operation of the executive arm of government.

The Legislature in the Nigerian Democratic Process

Democracy and the associated freedoms and rights of the individual as citizen came to the world at a huge cost. Efforts towards constitutional government started gathering momentum during the 17th and 18th Centuries when powerful middle class people emerged in Western Europe challenging the political absolutism of ruling aristocracies as was the case in England (1688), America (1776) and France (1789). The democratic nature of the revolutionary movements during this period put governments under siege and succeeded in making the governing powers responsible for their acts (Jimoh, 1999). Government was supposed to be responsible to the people being governed.

Even though democracy, in the sense of responsibility to the people, was not entirely new in Nigeria by the time colonialism was established in the country - the Igbo traditional societies, for instance, having been governed under republican, ultra-democratic systems - modern Nigeria and its modern government are undoubtedly colonial creations. Nevertheless, the Nigerian legislature has had a chequered history, beginning from the period of inconsequential advisory status when it was comically described by Sir Hugh Clifford as a debating society (Elias, 1967), to the current era of

constant brawls with the executive. In between, we had a time when the legislature could make laws for some parts of the country and not others. Such was the time when the legislative council made laws for the East and West while the governor made laws for the North by means of proclamation (Awofeso, 2015). There was also the time when bicameral legislatures in the North and West coexisted side by side with a unicameral legislature in the East. In essence, the experience of colonialism could best be described as a period of trial and error for the legislature in Nigeria. One can thus make a case for the origin of modern Nigerian legislature - truly so, in name and relevance - under the Macpherson constitution of 1951. That was the first time Nigerian majority membership became a reality in the legislature. That was also the first time members were called representatives, elected directly by the people and not nominated by the governor. The Macpherson constitution was also the first that became a product of consultation with the Nigerians who were to be governed by the constitution.

The legislature that Nigeria inherited from the British at independence was a robust and mature one; peopled by the cream of the nationalist movement and possessed of an uncommon zeal to rapidly develop the society after the pillage of colonialism. Ethnicity had however entered the Nigerian political space during the latter days of the colonial experience and this rapid development effort was pursued along ethnic lines, with each of the dominant regional political parties striving to develop their region at the expense of the other regions. The monster of ethnicity was to consume the first republic when the military struck to sack the government on January 15th 1966. The military continued to rule until 1979 when the civilians came back, only to stay in power for only four years before being sacked again. Each time the military struck, the reason they always give the nation for the overture was corruption and mismanagement of the economy on the part of the politicians. Moreover, it is always the legislature that would cease to exist among the tripod of executive, legislature and judiciary. This is often cited as a reason for the underdevelopment of the Nigerian legislature. In addition, the supposedly corrective regimes of the military also became entangled in, and epitomized corruption - the same reason for which they took over power - and the many years of military misrule rather entrenched corruption in public office as a major aspect of the Nigerian political culture. Stupendous wastage of resources became the order of the day as the military illegally shared Nigeria's wealth among themselves, their cronies and other influential Nigerians in order to buy legitimacy for their regimes. Thus the political class actively imbibed the culture of corruption, and by 1999 when the military finally relinquished power, the legislature that Nigeria got at both the state and federal levels was a weak one seemingly interested only in scrambling for their own individual share of the national cake.

Today, the Nigerian legislature is active, albeit confrontational in its relationship with the executive in the process of governance. Nevertheless, the national assembly is not entirely composed of active members as, according to Oyakhire (2014), in the last two years, 34 senators have not sponsored any bill or moved a motion out of the 109 senators. In addition, the size of the legislature and the remuneration of its members tend to make the government very expensive to operate, at the risk of using up resources that could be used to deliver services to the people being governed. As Oyakhire graphically demonstrated, there are 360 members of the House of Representatives with 109 senators in the Senate. Altogether, there are 469 legislators. Each member of the national assembly is entitled to 5 legislative aides, notably senior legislative aide, who should be a lawyer, a legislative aide, a personal assistant, a secretary and an office attendant or a messenger. A senior legislative aide earns 250 thousand naira per month while a legislative aide and personal assistant earn 70 thousand naira each per month. The aides are trained twice yearly and paid 120 thousand naira. They are also paid duty, transport and other allowances as extra. They are paid 50 thousand naira extra for feeding during training. There are 2,345 aides for Reps and Senators. The cost implications for their remunerations total N140.7m annually....Each senator earns 240 million naira per year (\$1.7m) and collects N45m quarterly and each Rep earns N204 million per year (\$1.45m) and collects N33m quarterly as constituency allowances. The economist magazine of London recently did a comparative study on the take home pay of parliamentarians across the globe and found Nigerian lawmakers as the highest paid.

Former President Obasanjo (2016) in a recent attack also claimed that the legislators pocket all these allowances as most of them do not have the aides they claim to have. Moreover, according to Alli (2016), the former president denounced the National Assembly as a cesspool of corruption and some of the lawmakers as “unarmed robbers” who are defrauding the nation through constituency projects and bogus allowances and failing to subject themselves to institutional controls. With two and half years to go in their tenure it is *hoped* that the 8th Assembly will, unlike its predecessors, rise above these accusations and become more people-centered in their legislative duties.

Official Corruption in Nigeria

Corruption in Nigeria is a very controversial issue and any attempt to fight it much more so. This is because it appears that everybody in the public realm is involved, one way or the other, in the vice. Hence Eke (1975, 1985) explained it as a heritage of colonialism which heralded the emergence of two publics - the civic public and the primordial public. According to him, the civic public realm was associated with illegitimate and exploitative colonial rule and cheating the system was considered a

patriotic duty; in the Nigerian mentality therefore, anybody in position of authority in the civic public realm would be considered a failure if he did not steal from the office to feed the primordial public. He went further to categorize corruption into two forms - the embezzlement of public fund and the solicitation and acceptance of bribes from individuals seeking services provided by the civic public by those who administer those services.

Corruption is therefore abundantly manifest in all sectors and aspects of the Nigerian society, but we are limiting our discussion to official corruption which the government is fighting today. The definition of corruption relevant to our case includes that given by the World Bank (2000) as: “the abuse of public office for private gain” and that given by Bandfield (1996) as “the process of obtaining material enrichment or opportunities for oneself or for others through the use of public office in ways other than those publicly acknowledged through rules and procedures of that office.

These two definitions are enough for us to capture the meaning and nature of official corruption and the need to combat this cankerworm in the Nigerian society. An examination of the manifestations of corrupt practices in public office in Nigeria has led several researchers (Achebe, 1984; Akanbi, 2002; Toyo, 2006; DFID, 2006; Egbue, 2007, etc.) to conclude that corruption is the reason for widespread poverty in the country and the single most important impediment to socio-economic development.

When public officers take bribes in the performance of their official duties, the giver of such bribes is accorded undue advantages to the detriment of others whether it be in the award of contracts, in administration of justice, in offer of appointments or places in university admission or in any other form where the judgment or discretion of the official is exercised. Also, when public officers embezzle or misappropriate funds meant for delivery of services to the community, the community is certainly denied such services. In Nigeria, embezzlement entraps resources for development in the hands of few public office holders who simply and blatantly divert budgeted funds into their pockets (or bank accounts). Indeed, there will be no end to the list of public services left undelivered or poorly delivered as a consequence of official corruption. Suffice it to say that corruption is the reason for the abysmal state of Nigerian roads and other infrastructural services. It is also the reason for the unbelievably poor state of public health and educational institutions. Most worrisome is the low remittances to the federation account by revenue generating agencies of government such as the Federal Inland Revenue Service (FIRS), Customs, Nigerian National Petroleum Corporation (NNPC), Nigerian Maritime Administration and Safety Agency (NIMASA), etc. which is also consequent upon corrupt practices.

The allegations and revelations made by the Economic and Financial Crimes Commission (EFCC) against officials of various ministries, departments and agencies of government in the past one year or so have opened the eyes of Nigerians to the fact that government in the recent past has been more about corruption and self-enrichment than service to the people or development of the society. Established cases against some high profile officials of the Goodluck Jonathan administration involve moneys the total sum of which could finance the budget of the country for a whole year. Some of these corruption cases include those against the former Head of Service – Stephen Orosanya, former National Security Adviser – Sambo Dasuki, former NIMASA Director General – Patrick Akpobolokemi, former Aviation minister – Femi Fani-Kayode, even a Senior Advocate of Nigeria – Rickey Tarfa and Justices of the Supreme Court – Sylvester Ngwuta and Inyang Okoro. The situation is reflective of the postulations of post-colonial state theorists like Alavi (1972) that the African state is elitist, centrist and absolutist and operates only to preserve the interest of the elite and that the characteristic low level of accountability and institutional capacity permit officials to appropriate the state as their personal property. It is not surprising then that Transparency International has consistently rated Nigeria very low in its corruption perception index ever since it started monitoring the incidence of corruption around the globe. Nigeria's best performance of 27⁰% in 2007 (TI, 2008) is certainly a failure score by any standard.

Lamenting the enormity of the problem, the acting chairman of EFCC, Ibrahim Magu once said that “corruption is a deliberate and calculated wickedness against the country's existence...the impunity is too much, sometimes I shed tears in the morning before I go to the office. It is unbelievable, the rot is terrible” (Macaulay, 2016). President Muhammadu Buhari (2015) himself has also lamented that “if we don't kill corruption, corruption will kill Nigeria”.

Combating Official Corruption in Nigeria: Role of the National Assembly

Ever since the first military coup that sacked the political leaders of the first republic, on account of corruption; the government of Nigeria has been concerned about the problem of official corruption. However, as we noted earlier, almost every Nigeria in the public realm inevitably encounters corruption either as a perpetrator, an accomplice or a victim. As such, any attempt to combat corruption becomes a controversial issue and has the potential to make the government or agency fighting the war against corruption unpopular. Moreover, the scale and complexity of corruption in public office is such that makes the perpetrators stupendously rich and popular among their clients and cronies. A war against corruption thus becomes a war against the economic and power elite in the country, and anytime there is fight against corruption, corruption fights back – ferociously. This is why the resolve to combat

corruption is often weakened, and the fighters sometimes come out as perpetrators, accomplices or victims themselves.

For all the justifications of the various military coups in the country on the basis of economic mismanagement and corruption, most of the past military rulers only ended up paying lip service to the campaign. However, three Nigerian heads of state/presidents stand out as having genuine resolve to fight the evil. These are General Murtala Mohammed (1975-1976), General Muhammadu Buhari (1983-1985, 2015-date) and General Olusegun Obasanjo during his second emergence as civilian president (1999-2007).

Policies and programs of government are quite often incremental in nature, and where we are today in the fight against corruption is a product of years of attempts, successes and failures. The following is a list of attempts by past leaders that laid the foundation for the current structure of the war against corruption in Nigeria (www.nairaland.com). In 1966, General J. T. U. Aguiyi-Ironsi established the Public Officers (Investigation of Assets) Decree No 5 as well as tribunals to try those indicted, but nothing was achieved with this. In 1975, General Murtala Mohammed's Asset Investigation Panel indicted many high ranking officials who were dismissed and their assets confiscated. He also established the Corrupt Practices Decree (1975) and a bureau to try offenders. But for his untimely assassination, there was hope that corrupt officials would learn the lesson. In 1979, Shehu Shagari, in response to the need for Nigerians, especially public officials to rethink their attitude towards government assets and their penchant to steal from government, established the Ethical Revolution programme. But in the end the programme achieved nothing and many of his ministers and aides were noted to have looted the treasury hugely.

In 1984, General Muhammad Buhari's Special Military Tribunal convicted many high ranking officials of the Shagari administration including state governors and ministers who forfeited their assets and were sentenced to long prison sentences. Nigerians were largely compliant with the War Against Indiscipline (WAI) of that era. In 1985, General Ibrahim Babangida set up a panel to review cases of the 1984 tribunal. The panel freed most of the indicted officials. Babangida would have seen corruption as a tool of governance and easily used it to shore up support for his regime. He also set up an Audit Alarm System at the local government level as well as a National Committee on Corruption and Other Economic Crimes under the chairmanship of Justice Kayode Esho who put forward a report that promised to revolutionise the war against corruption. But the regime achieved nothing with that. In 1993, General Sani Abacha continued with the War Against Indiscipline and renamed it War Against Indiscipline and Corruption (WAI-C). He also printed the Kayode Esho report but nothing was done with it. For all the show with WAI-C, it was the same Abacha who was reported to have looted \$5bn before his death.

Today, the fight against corruption has developed into an important policy issue, and the policy was enunciated and structured in the Fourth Republic under President Olusegun Obasanjo. Upon assumption of office, President Obasanjo immediately set about establishing an Act of the Parliament and an institutional framework for prosecuting the war against corruption. Thus the Independent Corrupt Practices and Other Related Offences Commission (ICPC) and Economic and Financial Crimes Commission (EFCC) were established in 1999 and 2003 respectively, and legitimized through Acts of the National Assembly in 2000 and 2004. Other Acts of the National Assembly that address the problem of corruption include: Advance Fee Fraud and Other Related Offences Act (2006), Money laundering (Prohibition) (Amendment) Act (2012), Freedom of Information Act (2011), Fiscal Responsibilities Act (2010) and the Nigerian Extractive Industries Transparency Initiative Act (2004).

Although prompted by the presidency in all cases, the enactment of these laws is a demonstration that the National Assembly was willing to collaborate with the executive in the war against corruption. The National Assembly is also vested with powers to conduct investigations and/or to direct the conduct of investigation into matters in respect of which it is empowered to make laws. This investigative power of the NASS derives from section 88 of the Constitution of the Federal Republic of Nigeria (1999) and covers the conduct of affairs of persons; authority, Ministry or government department charged with or intended to be charged with the execution or administration of Acts of the NASS and the disbursement and administration of moneys appropriated by it. In addition to also enacting laws for the purpose of combating corruption therefore, the Senate and House of Representatives also hold public hearings where the conduct of persons charged with spending moneys appropriated by the NASS can be investigated to expose corruption, inefficiency and waste and ensure that due process is followed and the country and its people are not fleeced in the process. This is the hub of the oversight function of the legislature and its committees.

In this regard, the NASS has held several investigative inquiries. Some of the major ones include the under listed: In 2000, a House of Representatives investigation of government's crude oil exports and refined products imports amongst other oil and gas sector issues revealed that NNPC lost a lot of revenue as a result of not following the statutory procedure; shoddy financial record keeping in NNPC; absence of due process; lack of Turn Around Maintenance (TAM) and neglect of refineries leading to increased importation; illegal sale of petroleum products; pipeline breakage and vandalism, etc. The panel recommended that NNPC be broken up into two (2) corporations for efficient operation. A 2007 Senate PTDF probe found President Obasanjo guilty of not following due process. It also recommended that Vice President Atiku Abubakar be sanctioned for diverting and mismanaging public fund. Others

involved were asked to refund money to the Federal Government and face prosecution.

In 2008 a House of Representatives investigation of the activities and operations of the Nigerian National Petroleum Corporation (NNPC) and its subsidiaries from 1999 to 2007 and the right of Nigerians to know uncovered incidences of corruption, including deliberate and unaccounted increase in the daily quota of petroleum production against OPEC allocation, misappropriation of funds budgeted for the Turn-Around Maintenance of refineries, fraudulent allocation of oil blocks, lack of transparency and imprudence in NNPC bills; crude oil theft across Nigeria's porous borders, deliberate delay in discharging of petroleum products by ships at the seaports and dubious operations of International Oil Companies. Also in 2008 a Senate Transport Sector Probe indicted the Minister of Works, Chief Tony Anenih of spending huge amounts of money on the transport sector without commensurate results.

In 2009 a House of Representatives committee exposed the problems with the National Independent Power Projects (NIPP). Several contracts were found to have been awarded to incompetent people while millions of dollars were paid up-front. In many cases, the contractors didn't even know the construction sites. Following the unwarranted closure of Soku Gas Plant, a House probe in 2009 revealed a loss of about 80 Liquefied Natural Gas (LNG) cargoes, each worth about \$15 million, which is about \$1.2 billion lost due to the closure.

On the construction of the second Abuja Runaway at N63bn in 2010, the contract was found to be bloated and insulated from due process. The House of Representatives, on March 3, 2010, passed a resolution, calling for the suspension of the project. The Federal Government terminated the contract awarded to Julius Berger Nigeria Plc. In 2012, both the Senate and House of Representatives conducted probes of Petroleum Product (Fuel) Subsidy administration. The reports stated that the subsidy administration was heavily compromised and exposed massive fraud in the oil sector. It revealed that \$6.8 billion was unaccounted for. It prescribed sanctions to individuals in the government as well companies and organisations involved for various offences including negligence and fraud. It recommended that the Ministry of Petroleum Resources be split into two to ensure effective supervision.

A 2012 House probe uncovered a N2 trillion fraud in the executive after an investigation into the revenue generation and remittance of 60 ministries, departments and agencies of government which showed top heads of ministries, departments and agencies of government generate revenue from their agency's activities running into trillions of naira but under-declare such revenue while diverting the remaining to other use. In 2013, a House committee investigation into alleged illegal land allocations and racketeering in the Federal Capital Territory, Abuja found severe discrepancies and corruption by highly placed officials of the FCT; alleged

illegal sale of several plots of government land to members of the public; involvement of officers of the Nigeria Security and Civil Defense Corps (NSCDC) in illegal land sales and that government has not fulfilled its promise of compensating 854 indigenous communities of the FCT after 37 years their land was taken over from them.

In an investigative public hearing on the purported purchase of two bullet proof BMW vehicles worth about N255million by the Nigerian Civil Aviation Agency (NCAA) for the Honourable Minister of Aviation, Princess Stella Oduah in 2013, the House committee found out that the purchased two armoured cars “for executive movements and security/safety purposes,” as well as assorted brands of Toyota cars as operational vehicles was not budgeted for. The House of Representatives hence asked President Jonathan to review Oduah’s appointment. Jonathan set up a three-man administrative panel to study the report and investigate the matter. The Minister was subsequently relieved of her appointment.

In 2013, the Senate investigation into Pension Fund Administration discovered theft and mismanagement of N195 billion pension funds by PRTF. The Senate invoked Section 89 of the Constitution of the Federal Republic of Nigeria 1999 as amended, to get the chairman, Abdulrasheed Maina arrested over his refusal to appear before the panel to account for the missing money. The Nigeria Immigration Service (NIS) recruitment tragedy of 2013 prompted the Senate to conduct an investigation into the matter in 2014. The investigation revealed massive irregularities whereby millions of Nigerian job seekers were required to pay for application forms, and the positions were for sale for N 350,000 each. The report also decried the use of paid recruitment consultants for the exercise whereas the agency had the capacity to do the same, and indicted the consultant for poor handling of the exercise which was found to be responsible for the death of some of the job seekers.

On the Malabu Oil and Gas Limited scandal of 2013 The House of Representatives faulted the agreement between Malabu Oil and Gas, Shell Nigeria Exploration and Production Company Ltd (SNEPCO) and Nigeria Agip Exploration Ltd (NAE) with the Federal Government acting as Obligor and called for the cancellation of OPL 245 recently granted to Shell. It advocated for a new 'Resolution Agreement' in line with the Petroleum Act, and the Indigenous Concession Programme (ICP). It further recommended that AGIP be formally censured or reprimanded for its role in the 'Resolution Agreement' which lacked transparency and did not meet international best business practices. Finally it called for investigation and prosecution by the Nigerian Police Force for instances of forgery and alteration of documents by some Directors of Malabu Oil and Gas Ltd.

Indeed, these National Assembly probes and investigations are quite numerous. The problem is that the reports quite often end on papers which never see the light of day. It is understandable that the NASS, constitutionally, does not have the powers to

implement their recommendations, but they can follow up on those and demand action from the executive. Sometimes also, they are noted to have been compromised in the exercise of this all-important oversight function to the extent that they get involved in the corruption themselves and demand bribes from the agencies and individuals they oversight. In the pension administration scam, Mr. Maina alleged that Aloysius Etuk, representing Akwa Ibom State, demanded \$100,000 dollars from him as bribe. A former director of pension in the office of the Head of Service of the Federation, Sani Shuaibu Teidi, who was prosecuted along with 31 others, also alleged that Mr. Etuk and other members of the committee collected a bribe of N3 billion from him. Although the Senate seemed furious about these allegations, it did not take decisive steps to investigate them. Also in the police pension fund scam, five persons, including former Director of Police Pension Fund, Esai Dangabar, were accused of misusing N32.8billion from the Police Pension Fund. Mr. Dangabar accused some committee members of the Senate of benefiting from the loot. The senate denied the allegation without ordering an investigation. Also a House of Representatives member, Farouk Lawan, was caught on tape collecting \$620,000 out of a \$3million bribe he demanded while his committee investigated the fuel subsidy scam in 2012. He was seen collecting the money from oil mogul, Femi Otedola. The House of Representative referred the bribery allegation to its committee on ethics. But no report has been issued till date. The image of the NASS has been badly dented by allegations such as these, and many Nigerians today do not see them as actually representing their interests and aspirations as ought to be the case in a true democracy.

Concluding Analysis

Significant as the oversight function of the legislature is for good governance (Ewuim, Nnamani and Eberinwa 2014), the Nigerian National Assembly has not lived up to the expectations of the people. Little has been achieved with its countless probes and investigative public hearings. The Maina pension scam is yet to be concluded. Ditto the police pensions scam, the fuel subsidy scam, the Harliburton bribery scandal, the Malibu oil and gas scandal, the immigration recruitment tragedy, the NNPC remittances shortages, NIPP contract scandal and many more. This state of affairs creates the impression that the NASS is either a toothless bulldog or an accomplice in its own corruption probes. Many Nigerians tend to agree with the later point of view. As we noted earlier, ex-president Obasanjo, who should know better than most Nigerians, famously branded members of the NASS as unarmed robbers. This point of view was corroborated by the Nation newspaper in its editorial of 16th November, 2016 where it suggested that the NASS has proved in many ways that it does not share the yearnings of Nigerians for prudence, accountability and transformation....But, rather torn apart by selfish considerations, it has been doing all to boost the personal

interests of members, oblivious of the state of the nation. As reported by Attah (2016), the NASS budget is N15bn for less than 4,000 persons (their aides and workers included) while a state of three million persons has N100bn as budget. Their oversight function has not increased electricity or built more refineries in the past 16 years....Our president, lawmakers and ministers are one of the highest paid in the world but our minimum wage is the lowest in the world.

Figure 1: ASSESSMENT OF LEVELS OF CORRUPTION IN NIGERIAN INSTITUTIONS

S/N	Institution	Corruption level	Ranking
1	Political Parties	25%	2
2	Police	32%	1 [Highest]
3	Churches	1%	10 [Least]
4	Business/Private Sector	1%	10 [Least]
5	Ministry/Parastatals	1%	10 [Least]
6	Government Hospitals	1%	10 [Least]
7	Traffic Police/FRSC	1%	10 [Least]
8	Financial Institutions	2%	8
9	Educational Institutions	2%	8
10	Public Official/Civil Servants	3%	7
11	Judiciary	4%	6
12	Federal / States Executive Council	6%	5
13	Power Holding Company (PHC)	9%	4
14	Parliament/Legislature	15%	3

Source: Adapted from *Business Day*, Monday 02 November 2009:1

It is unfortunate that self-serving bills such as the one designed to seize control of the Code of Conduct Bureau (CCB) and Code of Conduct Tribunal (CCT) were given accelerated hearing by the two chambers while passage of budgets is being given the short shrift. On the CCB and CCT, the recent amendments to the Act setting them up, even though at variance with provisions of the constitution would give the NASS control of the institutions statutorily established to check official corruption. The amendment would make it compulsory for any case of breach or non-compliance to be brought to the notice of the person concerned to enable him make a written admission of such breach or non-compliance and where such is done, there shall be no reference to the tribunal. It should be noted that even some of the lawmakers were against these amendments, coming at a time when the Senate President is being tried for breaches against the Code of Conduct for public officials. Nigerian labour leaders also accused the lawmakers of manipulating the law to shield themselves from prosecution whenever they commit acts of misconduct (David, 2016). The Senate has also refused to confirm the appointment of the acting chairman of the EFCC who is reputed to be doing good work at the anti-graft agency and *The Nation* also noted that the delay in the confirmation of Mr. Magu's appointment is an eloquent testimony to the elite conspiracy against the fight against corruption. This conspiracy theory seems to

extend to the oil industry. Corruption in this industry has been said to constitute over 80% of all corruption in the country (Oluwasegun, 2016). Between 2011 and 2014, it was alleged that over 57 million barrels of Nigeria's crude oil worth \$17bn were illegally sold in the USA and no investigation or public hearing was instituted about that, while the NASS has refused to pass the Petroleum Industry Bill (PIB) which promises to address the irregularities in the industry. That bill has been lingering in the corridors of the NASS for over a decade (Ojiabor, 2016). From all indications, therefore, it seems that rather than contributing to the solution of official corruption in Nigeria, the NASS is part of the problem. The Business Day (2009) rated the NASS as one of the most corrupt institutions in Nigeria, above the MDAs they are supposed to oversight and control (See figure 1 above)

The legislature is not complimenting the effort of the executive in the fight against corruption. Some suggestions for improving the role of the legislature in this fight include the institution of e-parliament (Olasina, 2014) whereby members of the public would be enabled to monitor and actively contribute to the operation of the National Assembly. The power of recall of members of the legislature by their constituents should also be activated and effectively utilised. Moreover, the electoral system should be substantially reformed such that the vote of the individual citizen would count, and if people are displeased with their legislator, they could easily remove such a legislator in the next election. Finally, the effort of the EFCC to clean up Nigerian institutions should be extended to the NASS so that the bad eggs would be weeded out to serve as a deterrent to the survivors of the clean-up campaign.

References

- Achebe, C. (1984), *The Trouble With Nigeria*. Oxford: Heinemann.
- Akanbi, M. (2002), "Corruption as an Obstacle to Good Governance" in *The Nigerian Bar Journal* Vol 1 No 3. Pp 19 – 26.
- Alavi, H. (1972), *The State in post-Colonial Societies*. Pakistan and Bangladesh New Left Review Vol 1 No 74.
- Alli, Y. (2016), "EFCC's Fresh Onslaught Against Corruption" in *The Nation* December 8.
- Attah, D. (2016), "Crippling the Wings of Corruption" in *The Nation* December 8.
- Awofeso, O. (2014), *Constitutional Development in Nigeria*. Lagos; MacGrace Publishers.
- Bandfield, E. (1996), *Political Influence*. Glencoe; Free Press.
- Buhari, M. (2015), *Incorruptibility: A Critical Premise for Material Wellbeing*. Being Keynote Address Delivered at the Anyiam Osigwe Foundation Lectures Held at International Conference Centre, Abuja on November 12, 2015.
- Business Day*, November 2, 2009.
- The Constitution of the Federal Republic of Nigeria, 1999*.
- David, C. (2016), "CCB/CCT Act: Senate Courts Another Controversy" in *The New Telegraph*, November 2.
- DFID (2006), "DFID Anti-Corruption Strategy". London: Department for International Development, *Progress Report*,

- Egbue, N. (2006), "Africa: Cultural Dimensions of Corruption and Possibilities for Change" in *Journal of Social Sciences*, Vol 12 No 2 Pp 83 – 91
- Eke, Peter, (1975), *Colonialism and the two Publics in Africa: A Theoretical Statement* Ibadan: Longmans Ltd.
- Ekeh, PP 1985. *The African State and the African Crisis*. Being Paper presented at the First Symposium of the Special Committee on Africa of the United Nations University, Nairobi, Kenya March 4th – 7th
- Elias, T. O. (1967), *Nigeria: The Development of Its Laws and Constitution*. London; Stevens and Sons Ltd.
- Ewuim N.C, Nnamani, D.O and Eberinwa, O.M. (2014), "Legislative Oversight and Good Governance in Nigeria National Assembly. An Analysis of Obasanjo and Jonathan's Administration". in *Review of Public Administration and Management* Vol 3 No 6.
- Jimoh, A. (1999), *Law, Practice & Procedure of Legislature*. Lagos; Learned Publishers Ltd.
- Macaulay, F. (2016), "Maguphobia" in *The Nation* November 14.
- Obasanjo, O. (2016) Quoted in Alli, Y. (2016), "Obasanjo Attacks Buhari, Senators, Reps, Judges" in *The Nation* November 24.
- Ojiabor, O.(2016), "Federal Government Backs Senate's Plan to Unbundle NNPC" in *The Nation* December 8.
- Okoosi-Simbine, A. (2010): "Understanding the Role and Challenges of the Legislature in the Fourth Republic: The Case of Oyo State House of Assembly" in *Nigeria Journal of Legislative Affairs*, Vol. 3 (1& 2), 1-27.
- Olasina, G. (2014), "E-Parliament Services as Tools for Anti-Corruption and Transparency" in *International Journal of Electronic Governance* Vol 7 No 1.
- Oluwasegun, V. (2016), "Reps Invite Oil Firms, Others Over \$17bn Crude, LNG Theft". in *The Nation* December 8.
- Oyakhire, P. (2014), "Nigeria's Expensive National Assembly" in *Nigerian Observer* April 24.
- Toyo, E. (2006), "Thirty Five Theses on Corruption" in *The Constitution* Vol 6 No 4.
- Transparency International (2008), "Corruption Perception Index, 2007".www,Transparency .org/cpi. Accessed November 26, 2016, 1.43am.
- World Bank (2000), *Helping Countries Combat Corruption: The Role of the World Bank*. Washington DC; World Bank.

Biographical Notes

Norbert Chijioke ABAH, *PhD*, is a Lecturer in the Department of Political Science, Nnamdi Azikiwe University, Awka, NIGERIA. His area of specialization / research interest is public policy / public administration as well as labour and legislative studies. E-mail: abbanobert@yahoo.com

Andrew Okolo OBIAJULU, *PhD*, is a Senior Lecturer and former Head, Department of Sociology / Anthropology, and also the immediate past Sub-Dean, Faculty of Social Sciences, Nnamdi Azikiwe University, Awka, NIGERIA. His area of specialization / research interest is social policy and theoretical sociology. He has published in both local and international journals. E-mail: andyobiajulu@yahoo.com.