

# Corruption and Democratisation Hurdles in Nigeria: An Overview of the Fourth Republic

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## Abstract

May 29, 1999 marked the beginning of Nigeria's fourth republic after several years of military dictatorships in the country. However, no meaningful development to commensurate the Nigeria's civil rule. This is in spite the fact that the nascent democracy in country is over a decade. Corruption has eaten deep into the country's socio-economic and political system and which serves as a major threat to Nigeria's democracy. Public office holders use their power to undermine basic human rights and enrich themselves at the expense of Nigeria's impoverished populace. This makes it imperative in this study to examine corruption as one of the hurdles of Nigerian democracy. The paper infers that socio-economic and political developments can be enhanced, if the fight against corruption is genuinely tackled and Nigerians at all strata of the polity imbibe the culture of transparency and accountability in public office.

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

## Introduction

It is a fact that corruption is the singular monster that threatens Nigeria's democracy. It has served as obstacle to socio-economic and political development in the country. In fact, the political history of Nigeria especially after independence showcased what Omotola (2006) has referred to as political culture of corruption in the country. As a matter of fact, corruption has become one of the most topical issues in the discourse of the deepening crisis and challenges of post-independence Nigeria.

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

Records indicate that ten of the twelve military administrators (governors) during Gowon regime were convicted of diverting funds worth \$20 million (Diamond, 1991:74). Although Murtala /Obasanjo administration was acknowledged against corruption, it was unable to tame the monster before handing over to the acclaimed winner of 1979 presidential election, Alhaji Shehu Shagari. Unfortunately, corruption that surfaced during Shagari's rule surpassed the previous military regimes. As of December 31, 1983 when Buhari / Idiagbon terminated the second republic, millions of naira was reported to have been found in the houses of some arrested politicians. The magnitude of corruption during Shagari's government tempted Adamolekun (1985:88) to qualify the second republic as the golden age of corruption in Nigeria. The Buhari / Idiagbon war against indiscipline (WAI) tried to reshape and probably tame the corruption monster to a very large extent before the advent of Babaginda closed the chapter.

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

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

## On the Concept of Corruption

Corruption has become an increasingly important issue in Nigeria; it is not a recent phenomenon that parades the Nigerian State. Since the creation of modern republic administration in the country, there have been cases of official misuse of resources for personal enrichment. As rightly observed by Gboyega (1996:6) corruption can be

perceived as any decision, act or conduct that subverts the integrity of people in authority or institutions charged with promoting, defending or sustaining the demonstration process, thereby undermining its effectiveness in performing its assigned roles.

However, corruption is one of the contested concepts as mentioned by Ojo (2006). It has been view from different dimensions by various writers. This makes corruption to be typological; it might be Political corruption, Economic corruption and even what Omotola (2008:136) refers to as intellectual corruption which is quite obtainable among the academic. Political corruption is simply the use of power by government officials for illegitimate private gain. In essence, it is misuse or abuse of government power for selfish interest. Put differently, political corruption, however, can be defined as a method of exploitation by which a constituent part of the public sphere is exploited as if it were part of the market sphere (see Ojo 2001). Broader definition of political corruption also embraces electoral fraud as well as the rewarding by political parties of specific constituencies in return for electoral support. This justified Lodge (1998) explanation of political corruption as a phenomenon created within the institution of government, Legislatures, Court, Bureaucracies and Statutory bodies such as parastatals, corporation or commissions. In essence, political corruption is a situation when an elected representative makes decisions that are influenced by vested interest rather than their own personal or party ideological beliefs.

Meanwhile, Wikipedia (2012) views economic dimension of corruption as a payment for services or material which the recipient is not due, under law. This may be called bribery, kickback or what the Middle East call 'baksheesh'. Also, Theobald (1997:6) expatiates economic corruption as ranging from acceptance of money in other rewards for awarding contracts, diversion of public resources for private use, tax collection and tax assessment frauds. Most argument on economic dimension of corruption centers on the implication of government politics aimed at liberalization, deregulation and privatization which can reduce the opportunities for equality.

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

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

In summary, Nye (cited in Ojo, 2000) classification of corruption says it all. He views corruption as a behavior which deviates from the formal duties of a public role because of private regarding (personal, close family, private clique) pecuniary or status gains or violate rules against the exercise of certain types of private regarding influences. Considering the argument so far, the notion of corruption may be broadened into what can be termed a "corruption complex"

### **Democratisation Hurdles**

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

Not only that, democratization may be the transition from an authoritarian regime to a democratic political system. The Nigeria experience from military autocratic system to civilian administration falls in this category. Though, despite the transition to democratically elected government the country democracy still fell some setback and which the menace of corruption is one of them.

As rightly observed by Ojo (2006:5), what informs democratization in Nigeria today is how to consolidate the new democracy secured. This indicates the need to extend the life expectancy beyond short term of the country's democracy that had witnessed a decade. In fact, democratic consolidation is what actually tempts this paper to explore on democratization hurdles in Nigeria. There is considerable debate about the factors which affect or ultimately limit democratization. A great many things including economy, culture, history,

corruption e.t.c have been cited as impacting on the process.

The Nigeria's democracy is faced with several hurdles which are responsible for the failed system in the country. The electoral system is still subjected to problem of irregularities and manipulations. The worst election Nigeria has ever had was that of 2007 general election, though the 2011 election was better, it also witnessed some lapses. The trend of money politics, vote buying and selling are discouraging attributes of Nigeria political culture. The poverty ratio which is alarming also constitutes hurdle to Nigerian democracy. The unemployment level needs to be tackled and as a matter of fact insecurity may not be easily quenched, if the youths that constitute major population are not usefully engaged. Most of these problems are threats to democratic consolidation in Nigeria and which make it imperative in this discourse to examine corruption as the major virus that has eaten deep in Nigerian society, thus poses serious threat to the country's democracy. The next section views the manifestation of corruption in Nigeria's fourth republic.

### **Manifestation of Corruption in Nigeria's Fourth Republic**

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

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

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

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

The case of Bode George, former chairman Nigerian Ports Authority, (NPA) is still fresh in our memory. He was indicted by the Economic and Financial Crime Commission (EFCC) of fraud at the NPA. His trial started during the headship of Nuhu Ribadu and in August 2008, the new head of EFCC, Farida Waziri, arrested Olabode George in Lagos and arraigned him and four others on a 163 count case of conspiracy, abuse of office and alleged illegal award of contracts worth 84 billion naira while he was chairman of the NPA. In October 2009 Bode George was found guilty and sentenced to jail of 30 months (The Guardian 11, October, 2001). Bode George was later released on February 27, 2011 having completed his jail term in kirikiri prison,

lagos. The reception organized by PDP officials for him showcased lack of seriousness in the genuine fight against corruption.

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

Corruption does not only survive or operate in public sectors, it also overlaps to private organizations in Nigeria. Cecilia Ibru, former head of Oceanic Bank was found guilty on three charges of fraud and mismanagement. Ibru was removed from her position in August 2009 along with Chief executive officers of another top Banks, on accusation of corruption and mismanagement of funds. It was this time that the Central Bank of Nigeria stepped in to rescue nine banks on the verge of total collapse as a result of corruption and fraud. The federal High Court in Lagos convicted Ibru for granting 20 million dollars and 2 billion naira credits facilities above the approved limit set by the Central Bank of Nigeria. While handing down the sentence, Justice Abutu ordered that Ibru should forfeit assets worth ₦191 billion comprising 94 choice properties across the world including the U.S, Dubai and Nigeria. The judge also ordered that she should forfeit shares in about 80 listed companies in the Nigeria Stock Exchange and 20 unlisted companies (This Day, October 8 2012). Similarly, Akingbola's trial showcases the trend corruption in the banking sector. The former MD of intercontinental (acquired now by Access) bank Mr. Erastus Akingtola, standing trial alongside one of his associates, Mr. Bayo Dada, over alleged stealing of ₦47.1 billion. The case is still being contested at Federal High Court of Lagos. Though the Federal High Court thrown out corruption charges against Akingtola, the EFCC is ready to appeal the verdict (This day, August 7, 2012).

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

The Otedola/Lawan bribery saga is still fresh in our memory. Farouk Lawan, a member of House of Representative and the Chairman Adhoc Committee on subsidy probe, was accused of accepting the sum of \$620,000 dollars out of a grand total of 3 million dollar price tag. Femi Otedola a businessman and chairman Zinon oil Company offered the bribe and he involved the State Security Service (SSS) to prove that he was pressured to part with the money. Initially Lawan denied of accepting bribe until the scandal became a press release and after which he claimed to have collected the money as 'exhibit'. According to the report, Otedola gave Lawan marked money and both video and audio evidences were tendered to the security. Several investigations were made but yet no one can ascertain the where about of the "marked money" ( Vanguard, 18 June, 2012).

In the final analysis, corruption has been a singular threat to the survival of Nigeria's democracy. The attitudes of the public office holders reflect self centeredness and greed. Apart from the aforementioned cases, there are some other corruption saga which have been buried and this exposes the government lack of political will to fight corruption. The next section captures government responses toward curbing corruption.

### **Government Responses to Curb Corruption**

With the return to civilian rule on 29 May 1999, the incoming administration pledged, as one of its cardinal policies to wage a war against corruption. Expectedly, not more than a month of Obasanjo administration that he presented a bill to the National Assembly on corrupt practices and related offences. It took the legislature a year to pass the anti corruption Act which ushered in the Independent Corrupt Practice (ICPC), the bill was assented to by the president in 13 June, 2000 and ICPC was officially inaugurated in 29, September 2000. The commission through its act has the power to investigate and prosecute cases of corruption and other related



offences. The ICPC is generally considered to have been one of the most promising yet disappointing anti graft agencies. It was originally bogged down with litigation. For instance, the case filed by the Attorney General of Ondo State, arising from ICPC first corruption case in May 2001, querying the constitution of the ICPC Act. The activities of the commission were almost paralyzed until June 7, 2002, when the Supreme Court upheld the validity of the legislation (Aiyede, 200). Although the agency has been able to prosecute a few public officers and has several pending cases in court, ICPC is yet to convince Nigerians in its seriousness to tackle corruption. This can be referred as a capacity weakness which threatens the potential of the agency in combating corruption. According to ICPC report (2011) about 263 cases were filed between 2001 and 2011 involving 495 accused persons.

Nevertheless, another agency that has generated popular excitement in the anti corruption war is the EFCC (Ayiede, 2008-2009). The Economic and Financial Crimes Commission (EFCC) is the second anti corruption body set by the President Obasanjo administration. The EFCC was established in 2003 and is empowered to prevent, investigate, prosecute and penalize economic and financial crimes as indicated in its act. The EFCC under the leadership of Nuhu Ribadu was able to address financial corruption by prosecuting and convicting a number of high-profile corrupt individuals, ranging from Nigeria's former Inspector General of police, Tafa Balogun, Diepreye Alamieyeseigha, the former Governor of Delta State, James Ibori etc. In September 2006, the EFCC investigated 31 of Nigeria's 36 State governors (The Nation, September 28, 2006). The EFCC has been able to tackle, to some extent, cases of advance fee fraud (commonly called 419) such as obtaining by false pretence through different fraudulent schemes e.g. contract scam, credit card scam, job scam, counterfeit, cyber crime etc (Ayoade, 2008 : 49).

In April 2008, the EFCC began an investigation of the very influential daughter of the former Nigerian president, Senator Iyabo Obasanjo, for receiving ₦10 million stolen from the Ministry of Health. The investigation which also indicted the former minister of health and the deputy of stealing \$300,00 from the ministry's unspent funds (EFCC Report, 2008). The removal of Ribadu enhanced the appointment of Farida Waziri as the successor of the former on June 6, 2008 precisely. The prosecution of Bode George, former NPA chairman, was one of the big cases during Waziri headship. Olabode George was arrested and arraigned before court of law which sentenced him to 30 months in prison having found guilty. The conviction of the former MD of Oceanic Bank, Cecilia Ibru, is kudos to the EFCC under the leadership of Waziri. The former head of Oceanic bank was arraigned in court and sentenced to 6 months imprisonment and also forfeit some valuable properties locally and internationally, the trial of Erastus Akingbola stated during this period and is being anchored under the new leadership of EFCC headed by Lamorde Ibrahim whom assumed office in November 2011. Recently, EFCC arrested and arraigned some persons involved in subsidy scandal. Popular names among the suspects happen to be children of the so called "big men" in the country.

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

### **Implication for Sustainable Democracy**

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

Not only that, corruption has threatened the conduct of free and fair elections in Nigeria. Elections play a significant role in deepening democracy but manipulation of electoral system in the country has exposed the corruption in Nigeria's electioneering. Since the inception of new democracy in 1999 election has always been marred with irregularities and rigging which poses credibility question to Nigeria's democracy. Between 1999 and 2007 Nigeria held three elections which witnessed a systematic persistent deterioration in the quality of the election. In 1999, there were some complain of old style competition rigging, meanwhile in 2003 Nigerians began to see systemic deployment of organized thuggery, violence and brazen manipulation of election results. The 2007 elections witnessed 'coercive rigging' and 'selection' rather than election. The election was condemned by both local and international observers (Mustapha, 2007:3). Although the conduct of 2011 general

elections was applauded by various monitoring groups, there were cases of malpractices. In essence, credibility of election is expected to determine credible leaders. For some electorates to desist from money politics and vote selling, corruption should be tamed.

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

### Conclusion

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

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