The State And Anti-Corruption Crusade In Nigeria: A Study Of Economic And Financial Crimes Commission

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ABSTRACT
This paper investigates the nexus between the state and anti-corruption crusade in Nigeria, using the economic and financial crimes commission. (EFCC) as a case study. The continuous activities of the EFCC as one of the Nigerian government institutions established primarily in fighting all related cases of corruption in Nigeria has now become a tool inn fighting against the opposition parties in Nigeria, forgetting their primary aim of establishment. EFCC is an institution saddled and empowered with the responsibility to arrest and prosecute anyone found guilty in embezzling the public funds, irrespective of the political party the person may belong. The paper therefore examines the relationship between the state and anti-corruption crusade; in doing this, institution theory was adopted for the purpose of this paper while documentary method such as the use of books and journals was used to gather data, the findings were analyzed through content analysis which indicates that the activities of the EFCC as an institution has not been fair and just in their dealings. Based on the above findings, the paper recommends among others that the efcc as an institution should be fair just and autonomous from organs of government; executive, legislature and judiciary in discharging their duties and responsibilities which will bring about transparency and efficiency to the institution.

Keywords: The State, Anti-Corruption, Crusade, Institution, Nigeria

INTRODUCTION
The venerable Merriam Webster defines corruption as a dishonest or illegal behaviour especially by powerful people (such as government and institutions) or something that has been changed from its original form from what is pure or correct. The confluence of these definitions perfectly rhymed with the pattern where successive Nigerian governments not only breed corruption by way of looting public treasury but also through gross injustice as well as distortion of national history. The history of anti-corruption crusade in Nigeria gave been a war fought with a vigour against governmental institutions and public office holders in Nigeria by the EFCC. Corruption has become an impediment to the enjoyment of dividend of democracy in Nigeria. Upon realization of the implication of corruption, government initiate measures range from enactment of laws to establishment of the institutions to fight corruption in Nigeria. Corruption is synonymous to dishonesty or illegal behaviour, especially of people of authority. The expression can also be interpreted as the act or effect of making somebody change from moral to immoral standard of behaviour. From the foregoing, the issue of corruption and corrupt practices, is largely associated with those entrusted to shoulder the affairs of the people they lead. All countries of the world
promulgate decrees or laws, depending on the regime, civilian or military aimed at preventing corruption and corrupt practices among the citizens of their countries. Nigeria is among those countries that have laws on corruption and corrupt practices which clearly defined the punishments that await the offenders. All these measures to certain extent did not bring corruption to its knee. It is on this note that this paper examines the reasons behind persistent cases of corruption in Nigeria. The paper, among other things, observes that lack of political will to enforce anti-corruption law, citizens moral decadence as well as commercialization of religions as factors sustain corruption in Nigeria. The paper concludes that corruption should be tackled from the roots. Corruption has becomes an impediment to the enjoyment of dividend of democracy in Nigeria. The returned of democratic rule after several years was marked by much suffering and wanton corruption and infrastructural decay. It is a cankerworm that has eaten deep into the fabric of the Nigerian political and socioeconomic system to the extent that institutional capacities of government are disregarded, resources are siphoned off and public offices are bought and sold. Similarly, Agbu (2003) highlights four serious implications of corruption as follow; one, corruption affects adversely the quality of governance and social structure in Nigeria; two, corruption has eroded government’s ability to provide the needed social amenities like water, sanitation, healthcare, education et cetera; three, it retards economic development and precipitates deterioration of public infrastructure and amenities (roads, refineries, dams, plants, telecommunication networks); four, at the political level, untamed corruption in the polity entrenches bad governance in Nigeria despite the various legislations promulgated to check this despicable phenomenon. The summation these implications contributed substantially to the under realization of national and individual potential as well as bringing needed development. The Federal Government of Nigeria has established a commission called Economic and Financial Crime Commission (EFCC) whose main function is to bring to book any public office holder found guilty of corruption and corrupt practices in discharging his duties. It is not the only body that fights corruption and corrupt practices in this great country, other None Governmental Organizations (NGOs), groups and individual’s citizens also join hands to conquer corruption and corrupt practices in our dear native land. Political history of Nigeria shows that corruption started during the First Republic when the top government officials of that regime were toppled in a coup d’etat by young military officers who accused the political chieftains of corruption and corrupt practices which according to them brought the country to a halt, meaning, the country was on the verge of total collapse. Regimes whether military or civilian have their own ways of fighting this negative phenomenon which destroys countries to their roots because of its devastating effects. The most noticeable among the past regimes that vehemently fought corrupt and corrupt practices was that of a very popular military junta under the distinguished leadership of the father of Africa of his time, General Murtala Ramat Muhammad may his gentle soul rest in perfect peace. He sacked all public office holders guilty of corruption and corrupt practices and not only that their looted wealth was confiscated. He was also hand in glove with the West over there in human policies on African countries. The greatest General ever produced in Africa was reported to have addressed the Africa leaders at one of the Organization of Africa Unity meetings in Angola, that Africa had come of age, she would no longer be tied to the apron string of the West. He sanitized the general conduct of the country by reforming the Local Government Authority. His policies were really aimed at salvaging the common man and the country that had been in bondage as a result of corruption. War against Indiscipline, a very important policy identified with General Mohammad Buhari retired must not be forgotten in this country. It was a revolutionary policy that changed the behaviour and attitude of every Nigerian. Law and order were observed to the latter by the citizens of the country because of the punishments that awaited the offenders. These two military regimes were really transparent and accountable on the general conduct of their administrations. They administered the affairs of the people showing the exemplary leadership for not misappropriating or looting the treasury of the teeming populace. Appointments were based on meritocracy during their tenure in office. Only those who had the nation at heart were employed to take charge of the affairs of the country, despite that they were closely monitored by their supervisors. In these two regimes under discussion, no body no matter his position in the country was above the law, meaning, he must observe the law as the common man does. It is the absence of observance of law and order that
destroys Nigeria despite our abundance of human and material resources. Their struggles to extinguish corruption and corrupt practices among the citizens of the country cannot be overstated in the history of this country because of their sincere commitment to the task. Everybody then whether in the Public or Private Sector was afraid to take or give bribe because he didn’t know who the bribe giver or taker was. The situation can be compared with that of Macbeth when he had to say that “there is not a one but in his house I kept a servant fed” this stands to mean that he had the report of everybody by his security agents. The two generals succeeded in their anti-corruption crusader for up to today their names and regimes are being associated with honesty, sincerity, nationalism, hard work, practical accountability and transparency. The Economic and Financial Crime Commission as a body instituted by the Federal Government of Nigeria charged with the arrest of those individuals and groups that engage in corruption and corrupt practices thereby sabotaging the development of the country. But the baffling thing about this commission is that it doesn’t seem it is up to the task in practical terms. The ostentatious living of those in the political arena is clear evidence that they are living above their legitimate incomes. Their display of vulgar ostentation in building mansions, having fleet of latest push cars and at wedding ceremonies or other social gatherings, is a clear testimony that they cannot be redeemed easily from the ocean of corruption and corrupt practices. If they can, objective criticisms on the Nigerian leadership style by prominent people both from within and outside the country should have redeemed them. For instance, the USA Secretary of State Hillary Clinton during her visit to Nigeria observeu LIIDc corruption is the vein of Nigerian’s development. Moreover, their trips to foreign countries should be instrumental to bringing changes and transformations to move the country forward but that is not achieved. They have not either individually or collectively given it a thought that the country used to have fleet of Airlines, functional Rail Way System, exporter of Agricultural Products, has viable industries across the country and things like that. Why all these pillars of development have died? Why even the few industrialists find solace in other African Countries like Ghana? Their silence on these issues is what makes one to draw a pessimistic conclusion that the country and her people can never be salvaged by the present crop of leaders. It is this corrupt leadership style that has eaten deep into the very fabric of the Nigerian society to the extent that no sector of this society is free of corruption and corrupt practices. For instance, the education sector no longer produces qualitative graduates as a result of financial and sexual exploitations that are prevalent among the lecturers at both institutions of higher learning and universities. Our markets are polluted with adulterated products the consumption of which causes health hazards to the consumers. The civil service has dilapidated as a result of corruption and corrupt practices. The bureaucratic procedure is sentimentally motivated. Meritocracy is thrown to the dogs only people born with golden spoon in their hands are employed. The religious sector doesn’t call a spade a spade in their exhortations to truth and justice. The contextual frame work of the revealed Books is misinterpreted to be in consonance with the myopic interests of the leaders. This is the source of our decay since the religious clergics are consumed by worldly materials. The teeming masses use poverty as a escape goat and engage themselves in corruption and corrupt practices in peasantry activities entrusted in their hands. If the leadership is sanitized the whole society must be sanitized too since the personality of a leader influences to some extent that of the followers. They should also discuss among themselves why trillion of naira has been spent yet the country is retrogressing daily? These are some of the fundamental questions the leaders should have been discussing among themselves with the view to finding lasting solutions to this unfortunate situation the country and her people find themselves in. One cannot be wrong if he asserts that they are more interested in themselves, their family and those around them then the development of the country and her people. This is why they spend millions of naira on educating and medication of their family and those who dance to their tone. This contrasts the living condition of other people in the country who are not holding any political office. The country is retrogressing everyday but the leaders are wallowing in absolute riches. The electorate are in abject poverty, disease, illiteracy, insecurity, constant blackout and joblessness. Are these their dividend of democracy? Nigerian budget is in trillion of naira which if utilized judiciously, the country and her people should have been rubbing shoulders with any developed country in the world. Yet very insignificant number of those who misappropriate the resources of the country are arrested by the commission. Does it mean that the rest are not guilty of the same offence apart from those with
immunity? Let us be fair to the commission, it might be these are the only ones reported to it by their communities or employers of their organizations across the Federation. It is part of the functions of the commission to monitor any financial transactions in the country, a strategy that enhances the officials of the commission to check illegal transactions thereby arresting the parties involved. The commission, under the able leadership of Farida Waziri, an iron lady who can practically rub shoulders with men has no skeleton in the cupboard, meaning, she doesn’t spare the rod in punishing anybody guilty of violating the rules and regulations governing the activities of the commission. In her practical commitment to extinguishing corruption and corrupt practices in the country, she made a declaration that anybody wishing to contest any political office should undergo psychiatric test. Her sweeping statement may not be unconnected with the present primitive accumulation of public wealth. For whatever reason she said that, public treasuries are actually been looted every day by those who have total control of everything in the country whether at the Federal, States or Local Governments. United Nations declared December 9th as the day of fighting corruption across the globe. It claims that corruption is reduced to some significant percentage across the world. The question is, which yardstick does the body use in validating the percentage? We know very well in Nigeria corruption and corrupt practices are always on the increase since the country and its people are dilapidating every day. We have the highest number of beggars the world over as a result of joblessness and utter injustice by our leaders. No infrastructural development that is functioning to the expectation in the whole country. Billion of dollars is budgeted and spent with the view to supplying power in the country and that turns out to be a dream which from all indications cannot be realized in the near future. Our education system is on the budge of collapse despite the billion spent on it. To say the least, none of our universities is among the five hundred selected universities across the world. About 84% of the candidates that sat for 2009 SSCE failed because of numerous factors that are daily militating against the progress of the education sector. According to WHO record, every minutes a child dies in Africa, Nigeria inclusive. This research work investigates the history of corruption in Nigeria, it causes, challenges, and problems encountered in curbing this menace.

Clarification of key variables

Corruption: There is no acceptable definition of corruption. There is divergence of opinion on what really constitute corruption. This position was buttressed by UN Anti-Corruption tool Kit Conventional wisdom is that there is no single, comprehensive, universally accepted definition of corruption... Attempts to develop a definition of corruption invariably encounter legal, criminological and, in many countries, political problems. It was reported that when the negotiations of the United Nations Convention against corruption began early in 2002, one option under consideration was not to define corruption at all but to test specific types of acts of corruption” (UN Anti Corruption Tool Kit P. 111).

Corruption is defined as abuse of official powers for personal interests. It would include actions to favour one’s outlook, dictates or actions taken to twist the intent of law as against public or societal interest (Stahl, 1983). The widely used definition of corruption given by the World Bank (2008) is “The abuse of public office for private gain”. Transparency International (TI, 2007), the global anti-corruption watchdog, has defined corruption as “The misuse of entrusted power for private gain”. However, these two definitions are too simple to encompass the complexity of the phenomenon. Sen (1999) advances that corruption or corrupt behaviour is the violation of established rules for personal gains and profit. Therefore, corruption is a symptom of deep institutional weakness which leads to inefficient economic, social and political outcomes. Corruption is anti-social behaviour conferring improper benefit contrary to legal and moral norms, and which undermines the authority’s capacity to serve the welfare of all citizens (Osoba, 2000). It involves the violation of established rules for personal gain and profit. Such an abuse of power may not necessary be for one’s private benefit. It may be for the benefit of one’s party, class, tribe, friends and family. On this note, El Rufai (2003) posited that corruption covering a wide range of social misconducts that includes among others, bribery, extortion, influence peddling, fraud, embezzlement, the leaking of government secret and nepotism. It further incorporates criminal activities like drug trafficking, money laundering and criminal prostitution. In view of this, Agbu (2003:3) observed that public office can be abused for personal benefit even if no bribery occurs, through patronage and nepotism, the theft of state assets, or diversion of state resources. Given the above development, corruption means theft of
public trust whether the person concerned is elected, selected, nominated or appointed and it does not matter whether the person affected holds office or not since anybody can be corrupt. Corruption reduces economic growth, retards long term foreign and domestic investments, enhances inflation, depreciates national currency, reduces expenditures for education and health, increases military expenditures, and misallocates talent to rent seeking activities.

**Anti-corruption crusades:** Upon realization of the consequences of corruption in Nigeria, government at different times come up with relevant measures to be put in place in order to curb the menace. These measures range from enactment of laws to establishment of the institutions to fight corruption in Nigeria. For instance Murtala administration established the Code of Conduct Bureau for Public Officers of 1976. The Jaji Declaration in 1977 by Olusegun Obasanjo, the Ethical Revolution of Shehu Shagari administration (1981-83), War Against Indiscipline (WAI) of Buhari/Idiagonb regime (1984-1985) to War Against Indiscipline and Corruption (WAIC) by Abacha regime in 1996. Other efforts include setting up of probe panels, commission of enquiry and tribunals to try corrupt individuals (Haruna et al, 2014). All these measures to certain extent did not bring corruption to its knee. Failure of the previous measures to end the menace of corruption prompted democratic government to intensify their effort to address the problem of corruption and bad governance in the country. These measures include establishment of anti-corruption enforcement agencies such as Independent Corrupt Practices and other Related Offences Commission (ICPC) and the Economic and Financial Crime Commission (EFCC). ICPC was inaugurated on September 29th, by President Olusegun Obasanjo with the power to fight against corruption. The commission was charge with responsibility to perform the functions of preventive, enforcement (investigation and prosecution), and education, public awareness and enlighten. The Economic and Financial Crimes Commission (EFCC), on the other hand, was set up by the President Obasanjo government with the power to combat financial and economic crimes. The EFCC, according to Law establishing it, was empowered to prevent, investigate, and prosecute offenders who engage in “Money laundering, embezzlement, bribery, looting and any form of corrupt practices, illegal arms deal, smuggling, human trafficking, and child labour, illegal oil bunkering, illegal mining, tax evasion, foreign exchange malpractices including counterfeiting of currency, theft of intellectual property and piracy, open market abuse, dumping of toxic wastes, and prohibited goods” (Section 46, EFCC Establishment Act, 2004). Similarly, the democratic government enacting the statutes such as Money Laundering Amendment Act 2002, Money Laundering Prohibition Act 2003, Advanced Free Fraud and other Related Offence (Amendment) Act 2006 the Fiscal Responsibility Act 2007 and the Public Procurement Act 2007 as well as the Nigerian Extractive Industries Transparency initiative Act 2007 (Haruna et al, 2014). Despite all these are efforts to inject transparency and accountability in the management of the resources of the nation, the situation remains unacceptable as corruption continues to permeate and pervade every facet of national life in Nigeria.

**History of anti-corruption wars in crusades in Nigeria**

The corrosive effects of corruption on development and development process have always instigated governments to mount anti-corruption programmes and agencies for eliminating or at least abating the existence of the phenomenon in their societies. Such fights at times record some measures of success. The anti-Corruption war in Nigeria has spanned several decades across variant regimes and governments. In other words, from the military to civilian governments, one form of mechanism or the other has been devised in the prosecution of this fight against this social menace. The elite-mass theory is put forward as the underpinning theory of corruption in Nigeria; however, structural-functionalism which origin can be traced to Comte better explains the Anti-Corruption war in Nigeria. According to Nwagwu (2012) the prominent theorists of structural-functionalism are Herbert Spencer (1874-96) Almond (1966); Parsons (1937, 1961); Merton (1957); Davis (1959); Evans-Pritchard (1940); Meyer Fortes (1945), etc. Almond (1966), one of the principal proponents of structural functionalism, argues that every political system performs certain functions having adopted Easton’s systems analysis and stressed the functions which could be included among the input and output functions of all political systems. It was developed for political analysis by Gabriel Almond (Haralambs, Holborn, and Heald,) In Nigeria, historically, the war against corruption could be traced back to the pre-colonial era. The various pre-colonial societies had had
in place institutions or policies that were pre-set to fight corrupt practices. The Yoruba Alaafin stood to commit suicide or be banished on any event of gross abuse of his office (Ezenwaji 2000:3). This act essentially checked the Alaafin (the head traditional political Yoruba Society) from corrupt practices and he himself was to ensure that his officials were not corrupt. In the Igbo societies, uprightness was the watchword of all the people. Even at this, for fear of any possible abuse of office, the Igbo political system did not repose authority on a single individual. In the North, the Emir was checked by the collective efforts of his officials against corrupt practices (Nwaodu, 2012:76) The Sharia Laws were the standard for all the faithful including the emir and its punishments abound for corrupt acts. In the early years of the British rule, there were complaints that emirs and chiefs were difficult to trust with money among other corrupt acts and very quickly the administration issued a proclamation on how to deal with it, which was essentially that corrupt officers would have their appointments terminated and go to jail. Detailed accounting and auditing guidelines were also circulated to assist and warn all officers (Falola cited in Mbaku 1998). They were also traditional-corruption bodies like the police, and the courts. However, the weaknesses of these institutions following their infection with the same vice they were to fight made it necessary for the colonial government to device other means of fighting corruption. The level of awareness of the need to combat corruption by the colonial administration was awoken by the motion moved on February 26th, 1952, by the Emir of Gwandu at the floor of the Northern House of Chiefs: That this House, agreeing that bribery and corruption are widely prevalent in all walks of life, House, agreeing that bribery and corruption are widely prevalent in all walks of life, recommends that Native Authorities should make every effort to trace and punish offenders with strict impartiality and to educate public opinion against bribery and corruption (Adebayo 1986). By 1950s the colonial administration had moved away from just the use of the traditional anti-corruption machineries to the use of commissions of enquiry. On July 24, 1956 the Justice Strafford Forster-Sulton Commission of enquiry was set up to investigate the allegations that Dr. Nnamdi Azikiwe had abused his office as premier of Eastern Region by allowing public funds to be invested in business establishment where he had an interest. The Commission’s Report indicted Dr Azikiwe, and in January 6 1957 he transferred all his rights in the bank to the Eastern Nigeria Government (Nwankwo 1999 cited in Chukwudum 2004). The post-independence Federal Government also adopted the use of Commission of Inquiry in fighting Corruption in the Country. On June 20 1962, it appointed a Commission headed by Justice G.B. Coker to investigate the allegations that Chief Obafemi Awolowo had also abused his office as premier of the Western Region in his relationship with a private enterprise, the National Investment and Property Company (NIPC). The Commission’s report indicted Chief Awolowo; consequently the Western regional government acquired all the property owned by the National Investment and Property Company (Chukwudum, 2004). In 1967, another commission of enquiry was instituted to investigate assets of fifteen public officers in the defunct mid-Western region. The panel, indicted all the public officers of corruptly enriching themselves. The political leadership of Nigeria’s First Republic, led by Prime Minister Alhaji Tafawa Balewa, was aware of the high level of corruption in the country but appeared handicapped or unwilling to confront it. Most actions the government could take against corruption (outside the commission of enquiry that probed Chief Awolowo in1962) was limited to condemning the emerging scourge and promised to abate it with time (Mbaku 1998). This was the situation until the military captured government in 1966.

Theoretical Framework
This study was anchored on the Organizational Role Theory. This theory was developed by Katz and Kahn in 1966. It states that the assignment of work-roles prescribes the behavior that employees are expected to comply with, so that they are able to perform their specific tasks and duties effectively. It provides insight into the processes that affect the physical and emotional state of an individual in the workplace that affects their workplace behavior (Kahn, Wolfe, Quinn & Rosenthal,1964). Role theory as it relates to organizational leadership is how the leaders and followers in a business, usually management and employees, define their own roles, define the roles of others, how people act in their roles and how people expect other people to act in their roles within the organization. Role theory is based on the
theory is also rooted on connections to those in power. The individuals who took corrupt civil servants, restore professionalism to the country's public service (Nwaodu, 1986). The 1979 Constitution, justified as being one of National Guidance to provide moral leadership against corruption. Yet the measures were ineffective in combating corruption, for Nigeria had grown even more corrupt than ever before. It was in this state that the civilian government was toppled in a military coup, which the coup plotters justified as being anti-corruption campaigns—Operation Purge the Nation—which he said would rid the nation of political/administrative incompetence, corrupt and morally delinquent civil servants and politicians and bring back respectability and professionalism to the country’s public service (Nwaodu, 2012:80). The impact of the new anti-corruption programme, which forcefully purged over 11,000 people from the national civil service of corruption, was not only temporary but partial. Several civil servants were sacked to settle personal scores and punish suspected enemies and opponents. The programme rather endangered professionalism since the bases for the retrenchment were arbitrary and designed to eliminate primarily Nigerians who did not have proper connections to those in power. The individuals who took over the recently evacuated civil service positions continued to engage in opportunism since the incentive structure had not been altered. Alhaji Shehu Shagari who led the Second Republican Nigeria (1979–1983) had expressed worries at the scale of bribery, corruption, dishonesty and all vices were assuming in Nigeria. Early in his administration, Shagari had responded to controversy, which was associated with the Obasanjo’s Regime which he had succeeded. He instituted a probe panel headed by Justice Ayo Irekefe to get to the root of the scandal (Chukwudun, 2004:24). His regime however tried to combat corruption. He later proclaimed an ethical revolution, which he felt would be effective in fighting corruption. The 1979, 1989 and the 1999 constitutions had also provided a code of conduct for public servants with a Code of Conduct Bureau to enforce the prescribed behaviours. The Government also appointed a cabinet minister of National Guidance to provide moral leadership against corruption.
Corruption has long been endemic to Nigerian politics, but the levels of malfeasance in the waning years of the Babangida's regime eclipsed those preceding governments. The regime even facilitated corruption in the private sector. For instance, it returned (Hope, 1998). The obvious reason for his benevolence was to lure the beneficiaries into supporting him to extend his tenure in office. The Interim National Government, which succeeded Babangida’s regime had a very short tenure and did not settle down to combat corruption. However, Shonekan has to his credit as contributions to fighting corruption his proposals to the National Assembly, which never saw the light of the day. The administration of General Sani Abacha who pushed Shonekan out and came into power made efforts, to curb corruption. The most popular programme credited to the General is the War Against Indiscipline and Corruption (WAIC). He had also reconstituted the National Orientation Agency (NOA) and many probe panels were set up to investigate several government agencies and parastatals, for example, Customs, NITEL and Nigerian Airways. The activities of the Failed Bank Tribunal were also credited to the Abacha’s Administration. Nevertheless, the administration’s crusade against corruption was not seen as credible because some members of the cabinet had been indicted by some probe panels in the past. Again, top government functionaries did not declare their assets as required by the Code of Conduct Bureau (CCB). All of these lapses tend to cast doubt on the integrity of the government and it’s bid to combat corruption.


On assumption of office in 1999, President Olusegun Obasanjo declared his intention to fight corruption and began putting in place many organs in that direction. More than any of his predecessors he put in place anti-corruption institutions. Some of the agencies his administration had put in place in the fight against corruption are discussed below: In the first instance, he sent his anti-corruption Bill to the National Assembly for endorsement. The bill was entitled, “A bill for a law to prohibit and punish bribery and corruption of or by public officers and other persons (presented by the President, Commander-in-Chief, Federal Republic of Nigeria) – 7th July, 1999 (Chukwudum 2004:30). The next step by the President was his ignition of what would have been the fire of his anti-corruption campaign via the constitution of a panel to review various contract awards and appointments made during the administration of his predecessor. The panel among other things pruned down from over 500 to mere 13 the national awards bestowed indiscriminately on some Nigerian citizens. The Alhaji Iguda Inuwa Commission of Enquiry was also set up to examine the performance of major projects in Abuja. The Idris Kuta panel was to determine the number of contracts awarded by the Senate in one year from June 11
1999 to July 17, 2000 and to identify the officers of the Senate and other Senators that participated in the exercise of contract award. The panel was also to identify to whom the contracts were awarded for what and the amounts involved, to determine whether the laid down rules and procedure were complied with in the award of contracts among other terms of references. The popular Oputa panel was also used by this administration to investigate human right abuses since 1966, Oluwole Rotimi panel on Federal Government Assets was also among the myriad of panels. Obasanjo’s administration did not stop at the use of panels of enquiry in the fight against corruption, some other instruments he adopted included budget transparency, removal of extra budgetary expenditures, procurement reforms under the due process unit, and such institutions as the Economic and Financial Crimes Commission (EFCC), Independent Corrupt Practices and other related offences Commission (ICPC), the Code of Conduct Tribunal among others. The Conventional anti-corruption agencies like the police and the Courts were re-invigorated and sensitized to more effective action in combating corruption. The tarnished national image abroad especially using the Transparency International: Corruption Perception Index (CPI), which alternated Nigeria from the most corrupt nation to second and third most corrupt nation among the nations surveyed by the institution. The negative economic effect of all these contributories to spurring the Obasanjo’s administration into the anti-corruption war.

**Muhammadu Buhari’s anti-corruption war**

This is an anti-graft war declared by Muhammadu Buhari, the 4th democratic President of Nigeria. This is a war against all forms of corruption in Nigeria. During the president's election campaign in 2015, he vowed to fight against corruption and insecurity if elected. Since his election in April 2015, anti-graft war remains one of his topmost priorities. The anti-graft war was endorsed by the President of the United States. The United States Secretary of State, John Kerry at the World Economic Forum held at Davos in Switzerland extolled Buhari’s anti-graft war. In October 2015, the United Kingdom pledge her support for Buhari's anti-corruption war. According to Grant Shapps, the minister for international development, "UK is fully committed to helping Nigeria increase its security, stability and prosperity." We would continue to provide capacity building, technical and investigative support to Nigeria to tackle corruption. Corruption in Nigeria also affects the UK directly. Where we have evidence, we will continue to take action to protect the integrity of the UK's financial system and prevent. Some Nigerian described the war as "perfect" while others described it as "selective". William Kumuyi, the founder and general overseer of Deeper Christian Life Ministry described Buhari’s anti-corruption war as a step in right direction. However, the president has been criticized and accused of leading a selective war against corruption. Several people claimed that his war against corruption focus on members of the opposition party, the People's Democratic Party

**Analysis of Buharis’ Anti-Corruption Crusade.**

When President Buhari took over the mantle of leadership on May 29, 2015, he vowed to combat corruption in Nigeria no matter whose ox is gored. This was clearly indicated in his inaugural speech when he said, “I belong to everybody and I belong to no body”, Buhari (2015). Immediately, according to Campuswaka (2015), he started by arresting Col Dasuki (rtd) the then National Security Adviser of President Jonathan who was as at 1983 a young Nigeria Army Colonel that arrested the then General Buhari when Buhari’s government as Military Head of State was overthrown on Dec 1983 by General Babaginda. Dasuki’s accomplices that are of the opposition party, People’s Democratic Party (PDP) and those in the military were arrested and charged to court by Economic and Financial Crimes Commission (EFCC) over the massive scam in weapons and defence procurements that led to the misuse of three trillion naira defence budget since 2011 under the guise of fighting the notorious Boko Haram menace. The NNPC investigation where the former minister of petroleum Mrs Diezani Alison- Madueke was asked to give holistic account of her stewardship while in office could have been one of the reasons why President Buhari vowed to combat corruption in Nigeria no matter whose ox is gored. The investigation exposed several oil deals committed in the NNPC. Among these are: (1) The $2.2 billion USD illegal withdrawal from Excess Crude Oil Account according to (www.punchng.com) of which $1 billion USD supposedly approved by the then President Jonathan to fund his re-election campaign without the
knowledge of National Economic Council. (2) The investigation of the discovered $11.6 billion USD (NLNG) dividend payments that is missing according to NEITI, Izeze (2015). (3) The non-remittance of $11.63 billion USD paid to NNPC on crude swaps due to subsidy and domestic crude allocation that was not remitted to the federation account from 2005 to 2012, Izeze (2015). (4) The stealing of sixty million barrels of oil valued at $13.7 billion USD under the watch of NNPC from 2009 to 2012, Izeze (2014). (5) The invasions of tax by Oil Prospecting Licenses (OPL) and Oil Mining Licenses (0ML), Daily Sun (2016). Other cases investigated outside NNPC were: (6) Diversion of 60% of $1 billion USD foreign loan obtained by the Federal Ministry of Finance from the Chinese, Izeze (2015). (7) Diversion and mismanagement of $2.2 million USD meant for vaccination of children, Sitemadin (2014). (8) Diversion of N1.9 billion Nigeria naira being payment for Ebola fight, Abiodun (2015). Federal Ministry of Finance hurried payment of $2.2 million USD to Federal Ministry of Health contractor in disputed invoices, Punch (2015). (8) NIMASA fraud that the investigation is ongoing (www.punch.com). (9) The NDDC scam of N27 billion Nigeria naira contract award, Premium Times (8th August 2015). (10) The Police Service Commission scam investigation of N150 million Nigerian Naira, Premium Times (2015). (11) The security contracts of the militants on oil and gas pipeline, Africa Oil and Gas Report (2016). (12) The alleged down payment of N50 billion Nigeria naira for the N1 trillion fine slammed on MTN by the Nigerian Communications Commission (NCC) for a breach of the nations laws on Subscriber Identification Module (SIM) registration which was allegedly diverted by government agencies involved, Daily Sun (2016). Broadly speaking, there have been attempts by the administration of President Buhari to investigate several cases of corruption during President Goodluck Jonathan’s administration. However, some critics of Buhari’s anti-corruption war have accused him of not being sincere and holistic in the fight against corruption as virtually all the people and corporate organizations investigated are all of the opposition party – PDP, and his perceived enemies. Worse off, to them, none of the cases so far investigated and charged to court has been clinically concluded. This school of thought is also of the opinion that President Buhari has no moral pedigree to fight corruption because he, Buhari is corrupt. Cases such as the following were cited to drag home their points: (1) Buhari as Minister of Petroleum: Two Hundred and Eighty Billion United States of America Dollar ($2.8b) Oil Money was unaccounted for in 1977 under the watch of Buhari as the Petroleum Minister that led to the then Military Head of State Lt. Gen Obasanjo to set up a “crude oil sales tribunal” to investigate the operations of the then Nigeria National Oil Company (NNOC) now known as Nigeria National Petroleum Corporation (NNPC). The tribunal found out that in three years, the then NNOC has failed to collect its equity share of oil produced by Shell, Mobil and Gulf, which amount to $2.8b USD (www.thecable.nigerianmonitor.com). (2) Buhari as Military Head of State: The story of the fifty three (53) suitcases “filled with cash” that his Aide-de-Camp (ADC) then Major Mustapha Jokolo and his soldiers forcefully passed through Muritala Mohammed Airport (MMA) Lagos without security check after Gen Buhari as the Military Head of State announced a change of Nigeria currency and gave an order that all luggage entering or leaving the country borders, seaports and airports should be searched to ensure no currency was being smuggled. However, there seemed to be one rule for all and another for a privileged few as the 53 suitcases forcefully passed through without security checking. According to Atiku Abubakar, Nigeria’s Fourth Republic Vice President and the Controller of Customs as at the time of this incident at MMA Lagos, “he was pressurized by Buhari’s government to deny that the smuggling didn’t take place, but he refused and told the truth” (therainbowonlne.net). (3) Buhari as Petroleum Trust Fund Chairman (PTF): Mismanagement of Twenty Five Billion Seven Hundred and Fifty Eight Million Five Hundred and Thirty two Thousand Four Hundred and Forty Eight Naira (N25,758,532.448). On July 7th 1999, the then President Obasanjo instituted Petroleum (Special) Trust Fund Interim Report and the report revealed that the committee had advised President Obasanjo to set up a high powered judicial panel to recover the huge public fund and to take necessary action against any officer, consultant or contractor such as the Afri-Project Consortium (APC), a company contracted by the Petroleum Trust Fund (PTF) as management and project consultant that the report indicted that the sum of N25,758,532.448 was mismanaged when Buhari was the Chairman (www.naij.com). (4) Buhari’s Certificate Forgery: Nwokocha-Ahaaiwe, an Abuja legal practitioner has charged President Buhari to court for an alleged certificate forgery. He alleged that
President Buhari is unqualified to aspire to the office of the President of Federal Republic of Nigeria because President Buhari did not sit for Cambridge West African School Certificate (WASC) in 1961 as claimed. However, President Buhari’s hiring of the services of twenty-three best Senior Advocates of Nigeria (SAN) on this certificate forgery allegation is a proof according to his critics on this subject that indeed, President Buhari has no Cambridge West African School Certificate (WASC) as he claimed thus, has no morality to fight corruption (www.post- nigeria.com). (5) President Buhari Harboring Corrupt Ministers in His Cabinet: The Lagos State chapter of People’s Democratic Party (PDP) has faulted the claims by President Buhari that his Ministers are not corrupt. According to the party, President Buhari was obviously shielding some of his corrupt Ministers because of their financial contributions to his election. They accused President Buhari of pretending to be corruption-free, stating that he should make himself available for live question and answer if indeed he was very confident none of his Ministers are corrupt (www.informationng.com). The corruption crisis rocking Buhari’s ruling party, All Progressives Congress (APC) in recent time seems to be proving Buhari’s anti-corruption war critics right. Cases like (6) The Party’s National Leader, Senator Bola Ahmed Tinibu’s accusation that the National Party Chairman, Chief John Oyegun is corrupt and Oyegun’s hitting back at Tinubu, describing his allegation of corruption as personally insulting, reckless and baseless according to This Day (2016) points to the illusion concept of this subject as none has been invited or interrogated as at the time of writing this paper. (7) The confessional statement made by Hon Abdulmumin (Ph.D) of APC, Former Chairman of Appropriation Committee representing the people of Kiru-Bebeji Federal Constituency of Kano State in a press conference after being relieved of his position by his colleagues, stated categorically how the “House of Representative is a den of systemic corruption”, Punch (2016). To further proof this, Hon Abdulmumin listed in the first release how they shared Nigeria money. He confessed in the following order starting with him: (1) Hon Abdulummini Jubrin got N650 million (2) Speaker Yakubu Dogara got N1.5 billion (3) His Deputy Yusuf Lasun got N800 million (4) House Majority Leader Femi Gbajabiamila got N1.2 billion (5) Deputy Majority Leader Buba Jubrin got N1.2 billion (6) House Whip Alhassan Ado Doguwa got N1.2 billion (7) Deputy House Whip got N700 million (8) House Minority Leader Leo Ogor got N1.2 billion (9) Deputy Minority Leader Onyema got N800 million (10) Minority Whip got N700 million (11) Deputy Minority Whip N700 million, and he concluded by saying that he has documents to back up all these. This neo overt concept of President Buhari’s ruling party-APC bigwigs accusations of each other on corruption in recent time and yet no invitation or arrest has been made by the anti- graft agencies, indeed, shows that Buhari’s anti-corruption war is one rule for all and another for the privileged few. However, it is apt at this time to note the Ekpeye ethnic nationality’s saying of the Niger Delta Region that “if it smells like a fish and looks like a fish, it is possibly a fish”. Thus, this brings us to the questions being asked covertly and overtly by Nigerians, if President Buhari is sincere in his fight against corruption or if the fight against corruption is a vendetta, a reality or an illusion?

Corruption in Nigeria

Corruption is Nigeria's biggest challenge. It is clear to every citizen that the level of corruption in the country is high. It's found in every sector of society. Be it a small or big sector, there is every possibility of observing corrupt practices when critically examined. In the year 2000, Transparency International carried out a survey on the corruption levels of 90 countries, including Kenya, Cameroon, Angola, Nigeria, Côte-d'Ivoire, Zimbabwe, Ethiopia, Ghana, Senegal, Zambia, India, Venezuela, Moldova, and others. At the end of the ranking, Nigeria was seen as the most corrupt in that ranking because the country occupied the 90th position in terms of transparency. Nigeria was the most corrupt country in the year 2000. In 2001, Nigeria was ranked the second-most corrupt nation in the world out of 91 countries, falling only to Bangladesh. This shows that corruption in Nigeria improved by one step when compared with that of 2000. Still from the same source, in the year 2002, Nigeria has again ranked the second-most corrupt country in the world, after the organization surveyed 102 countries. Nigeria was seen at the bottom, occupying the 101st position in terms of Confidence Interval (CI). In 2003, Nigeria received the same ranking, making no improvements from 2003.2004's ranking showed a little improvement when compared to the past four years. Nigeria was ranked the third most corrupt country in the world in that year, performing better than Bangladesh and Haiti. That year, 146 nations were surveyed.
The record on the corruption in Nigeria really improved in 2005. The number of countries surveyed by the Transparency International was 158. Nigeria was ranked eighth most corrupt. More countries were surveyed by Transparency International in 2006. 163 countries were surveyed that year. The results showed some improvement, and Nigeria was ranked the 21st most corrupt country in the world. Haiti was the world's most corrupt nation that year. Among the 180 countries surveyed in 2007, Nigeria ranked 147 on the table alongside with Angola and Guinea-Bissau. This result shows that Nigeria was 33rd most corrupt country in the world. An analysis of the anti-graft/anti-corruption laws in Nigeria shows that corruption will continue in spite of the law because the perpetrators do not fear any consequences (Oyinola 2011). In 2012, Transparency International again deemed Nigeria one of the most corrupt nations in the world again (Uzochukwu 2013). In that year, the country ranked 139th out of the 176 surveyed countries, making Nigeria the 37th most corrupt nation. In 2013, Nigeria ranked 144 out of 177 surveyed countries in terms of transparency. The score made Nigeria 33rd most corrupt country in the world that year. The result published by the organization also showed that Nigeria scored 25% out of 100 in terms of transparency.

In the 2014 ranking, Nigeria is ranked 136 out 174 surveyed countries (Transparency International 2014). The result shows that there is an improvement, though things are still bad. Nigeria was the 38th most corrupt country in the world in 2014. With the emergence of a new government in the year 2015, many Nigerians were having great faith that corruption in the country will be minimized. In that year, power left the hands of People's Democratic Party (PDP) to All Progressive Congress (APC). One of the campaign promises made by the present President Muhammadu Buhari was the massive eradication of corruption in the country. Irrespective of the campaign promises, Nigeria ranked low in transparency and high in corruption in that year. In the year 2015, out of the 168 countries surveyed, Nigeria was seen at the bottom of the table in the category of number 136. This implies that Nigeria was the 32nd most corrupt country in the world in 2015. Over two-thirds of the 176 countries and territories surveyed in 2016 year index fall below the midpoint of Transparency International scale of 0 (highly corrupt) to 100 (very clean). In that year's survey, Nigeria sat at number 136 on the table with Guatemala, Kyrgyzstan, Lebanon, Myanmar, and Papua New Guinea. From calculation, it shows that Nigeria and the mentioned countries were ranked 40th most corrupt in 2016. Nigeria failed when it came to transparency in the country. By contrast, in 2013, Denmark and New Zealand scored highest at 91% each, meaning the countries are clean and have higher Confidence Intervals than Nigeria. In the other words, Nigeria is highly corrupt. Corruption in Nigeria wears many kinds of unattractive and dirty clothes. The situation has made so many people feel a lot of pains as the money which would have been used to reduce poverty in the country are being channeled into the pockets of a small group of persons. What can we say about the $2.1 billion arms deal? The money which was budgeted for the purchase of arms in the fight against Boko Haram insurgency group in the country all of a sudden disappeared. Whether the fund developed legs and ran away is what the Federal Government of Nigeria could not explain to the citizenry. The stain of corruption did not spare anti-graft agencies as former Chairman of the Economic and Financial Crimes Commission, EFCC, Ibrahim Lamorde, was accused of fraudulently diverting over N1tn proceeds from corruption recovered by the agency (Adeyemi 2016). This is incredible as those who were appointed to fight corruption in the country are also found as the victim of the same problem they fight. That is to say, that trust is difficult in the country.

Corruption is not only experienced among the Presidents of the country because many governors have been found guilty of it. It is like a disease that spreads from mother to children. The News Agency of Nigeria (NAN) reports that Nyako, the former governor of Adamawa and seven others, including companies, are standing trial before Justice Okon Abang on a 37-count charge bordering on money laundering. The news was published on December 1, 2016 (Pulse 2016). The governor opened 30 different accounts in Zenith bank of Nigeria using different names whose aim is to siphon funds. Among the offenses tendered against the ex-governor are a criminal conspiracy, abuse of office, an opening of multiple bank accounts and stealing to the tune of N29 billion (twenty-nine billion naira). The former president of the country, Olusegun Obasanjo, on November 24, 2016, while speaking at the first Akintola Williams Annual Lecture in Lagos, reacted negatively on the level of corruption going on among the
members of the House of Assembly and House of Representatives. Quoting from the writings of Jola Sotubo "Former President, Olusegun Obasanjo has described the National Assembly as a den of corruption (Jola 2016)". Part of the speech deliver by the ex-president which hammered on the level of corruption among the members of the house has it thus:

‘Members of the National Assembly pay themselves allowances for staff and offices they do not have or maintain. Once you are a member, you are co-opted and your mouth is stuffed with rot and corruption that you cannot opt out as you go home with not less than N15 million a month for a senator and N10 million a month for a member of the House of Representatives”.

According to Lewis Obi, the National Assembly is nothing but a business enterprise and the primary objective of the members is to make money for themselves. He went further as he explained that the National Assembly of the country is the highest paid legislature in the world. The Chamber earns more than that of United States of America and yet American economy is far much better than that of Nigeria. According to the documentation, United States senators make an approximate annual income of $174,000.00 while that of Nigeria is $2,183,685.00 (reported via Authoritative Economist Magazine). You cannot imagine the degree of disparity between the two.

**Efforts the Anti-Corruption Crusade in Nigeria has made in battling corruption in Nigeria.**

The menace of corruption and the lack of effectiveness of the existing institutions to fight corruption prior to 1999 led to the establishment of the ICPC (2000) and EFCC Act (2004) and the Money Laundering (Prohibition) Act. 2004. These Acts made comprehensive provisions to prohibit the laundering of the proceeds of a crime an illegal act, provide appropriate penalties and expands the interpretation of financial institutions, it also provides scope of supervision of regulatory authorities on corrupt activities among others (Ademola, 2011). The establishment of these institutions has contributed significantly in combating those activities to the extent that the scorecard assessing both the ICPC and the EFCC as at 2006/2007 revealed as follows:

<table>
<thead>
<tr>
<th>ISSUES/AGENCIES</th>
<th>EFCC Number of persons arraigned (300+) (185)</th>
<th>Number of persons convicted (145) (20)</th>
<th>Value of assets/funds recovered (N725 billion)</th>
<th>N3.9</th>
</tr>
</thead>
</table>

In addition, since 2004, Nigeria has taken significant steps towards complying with the Nigerian Extractive Industries Transparency Initiative (NEITI), including conducting comprehensive audits of the petroleum sector (World Bank, 2006). The Yar’adua/Jonathan administration also added the Public Procurement Act and the due process office, i.e. the E-payment (since January, 2009) and the e-procurement (since 2008) to improve transparency in public procurements (Ademola, 2011).

1 Ayo Fayose (Former Governor of Ekiti State) Arraigned on 51 counts  
N1.2 billion Case pending, granted bail
2 Adenike, Grange (Former Minister of Health) Arraigned on 56 counts  
N300 million Discharged and acquitted
3 Joshua Dariye (Former Governor Plateau State) Arraigned on 23 counts  
N700 million Case pending, granted bail since 2007
4 Saminu Turaki (Former Governor Jigawa State) Arraigned on 32 counts  
N36 billion Case pending, granted bail since 2007
5 Oji Uzor Kalu (Former Governor Abia State) Arraigned on 107 state counts  
N5 billion Case pending, granted bail since 2008
6 James Ibori (Former Governor Delta State) Arraigned on 170 counts  
N9.2 billion Case pending, granted bail since 2008
7 Iyabo Obasanjo (Former Senator) Arraigned on 56 state counts  
N10 million Case pending, granted bail since 2008
8 Lucky Igbinedion (Former Governor of Edo State) Arraigned on 191 state counts  
N4.3 billion Case determined, ordered to pay 25 million as fine
9 Gabriel Aduku (Former Minister of Health) Arraigned on 56 state counts
N300 million Discharged and acquitted
10 Jolly Nyame (Former Governor of Taraba State) Arraigned on 41 state courts
N1.3 billion Case pending, granted bail since 2008
11 Chimaroke Nnamani (Former Governor of Enugu State) Arraigned on 105 state courts
N5.3 billion Case pending, granted bail since 2007
12 Michael Botmang (Former Governor of Plateau State) Arraigned on 31 state counts
N1.5 billion Case pending, granted bail since 2008
13 Roland Iyayi (Former MD of FAAN) Arraigned on 11 state counts
N5.6 billion Case pending, granted bail since 2008
14 Prof. Babalola Borishade (Former Minister of Aviation) Arraigned on 11 state counts
N5.6 billion Case pending, granted bail since 2008.
15 Boni Haruna (Former Governor of Adamawa State) Arraigned on 28 state counts
N254 million Case pending, granted bail by court since 2008
16 Femi Fanikayo (Former Governor of Adamawa State) Arraigned on 47 state counts
N250 million Case pending, granted bail since 2008
17 Bode George (PDP Chieftain) Arraigned on 68 state counts
N100 billion Jailed in October 2009
18 Rasheed Ladoja (Former Governor of Oyo State) Arraigned on 33 state counts
N6 billion Case pending, granted bail since 2008
19 Senator Nichola Ughane; Hon. Elumelu and others Arraigned on 158 state counts
N5.2 billion Case pending, granted bail since 2009
20 Hamman Bello Hammed (Ex CG Customs) Arraigned on 46 state counts
N2.5 billion Case pending, granted bail since 2009
21 Adamu Abdullahi (Former Governor of Nasarawa State) Arraigned on 149 count charge
N15 billion Case pending, suspect on court bail
22 Attahiru Bafarawa (Former Governor of Sokoto State) Arraigned on 47 count charge
N15 billion Case pending, granted bail by court
23 Hassan Lawal (Former Minister of Works) Arraigned on 37 count charge
N75 billion Case pending, granted bail by court
24 Keny Martins (Police Equipment Fund) 28 count charge N7,740 billion Case pending, granted bail since 2008
16 count charge N32.8 billion Case pending, granted bail by court
Source: Economic and Financial Crime Commission (EFCC) EFCC.org
It should be noted that in all these cases none of the culprits is currently being detained or serving jail term apart from Chief James Ibori, the Former Governor of Delta State who was jailed in the United Kingdom. Giving this scenario where these offenders are allowed to go scot free in what is presently referred to in Nigeria as “plea bargaining”, corruption therefore is a lucrative business in the country. Also, in a situation where people steal billions of naira and after their arrest and prosecutions such persons are only jailed for three or six months make corruption in Nigeria the most lucrative business in the world.

Challenges facing the anti-corruption crusade in Nigeria
By all accounts, the fight against corruption in Nigeria has over the years been daunting and contentious. Observers insist that this observation is rational considering the rate of increase in the incidence of corruption in the country. They cite the 2012 ranking of Nigeria as the 35th most corrupt country in the world by the global corruption watchdog, Transparency International, to justify their view. According to them, the outcomes of the commissions of inquiries on alleged corrupt practices involving public officers between late 1950s and early 1960s, confirmed the long-standing history of corrupt practices in the country. Although political economists agree that it is difficult to estimate how much Nigeria has lost to corruption since independence in 1960, the Economist of London notes that Nigeria loses close to 400
billion dollars to corruption between 1966 and 1999. However, available records reveal that successive administrations since independence have put in place measures and mechanisms to fight the menace. These measures include the establishment of commissions of inquiry into allegations of corruption, trial of suspected corrupt Nigerians, strengthening of anti-corruption units of the Nigeria Police Force and the establishment special anti-graft agencies and commissions, among others. Further to these measures, in 1962, available records reveal that a commission of inquiry, popularly known as the Justice Coker Commission, uncovered the diversion of millions of pounds belonging to the Western Region’s Marketing Boards. The records also reveal similar official inquiries that discovered widespread corrupt practices in the Eastern Region. In a renewed fight against corruption, more than 51 public office holders were convicted of embezzlement and other abuse of public office by a military tribunal in 1983. Besides, the Federal Government says that it is collaborating with the World Bank to recover monies stashed in some commercial banks in a foreign country by past heads of state. To strengthen the various measures put in place to rid the country of corruption and other social vices, the administration of former President Olusegun Obasanjo established two special anti-graft bodies — the Independent Corrupt Practices and Other Related Offences Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC) in 2000 and 2004 respectively. Pundits, however, insist that the measures and the establishments of these anti-graft organs have not yielded the desired results, thereby casting doubt on the capability of such institutions to effectively stem the menace. Statistics from the EFCC reveals that it has convicted more than 100 suspects while it has also recovered property worth N11 billion from corrupt Nigerians since the establishment of the commission. The statistics also reveals that a serving Inspector-General of Police and former governors, among others, were among the convicts. In spite of this feat, perceptive observers admit flaws in the processes of investigations and prosecution of corruption cases by both the EFCC and ICPC. They opine that rule of law must be upheld strongly and the judiciary must be impartial before Nigeria can win the fight against corruption. For instance, former Chief Justice of Nigeria, Justice Dahiru Musdapher said “when the rule of law is weak, corruption will remain a nagging problem. “Without an honest criminal justice system, the wealthy, especially the corrupt, can escape the consequences of their crimes; such impunity reduces the perceived cost of corruption.” He said that independence of the judiciary is “a sine qua non to achieving an effective justice system.”

Observers, therefore, argue that this could have inspired President Muhammadu Buhari to prioritize the fight against corruption in his administration. Underscoring the negative effects of corruption to the nation’s economy and wellbeing of Nigerians, Buhari insisted that his administration would ensure a good fight against corruption. Speaking when the members of the All Progressives Congress (APC), Akwa Ibom chapter, paid him a courtesy in Abuja before his inauguration, he said that the nation’s problem was neither ethnic nor religious but corruption. “So, the point I want to make here is that the problem of Nigeria is not ethnic or religious, it is corruption. “This is what we are fighting, that is why corruption is number three in my campaign,” Buhari said. Buhari stated that his administration would also probe the allegation of missing 20 billion dollars from the coffers of the Nigerian National Petroleum Corporation (NNPC). This statement notwithstanding, perceptive observers insist that weak enforcement of the extant anti-corruption laws and lack of political will to prosecute high-profile corruption cases have made the fight against corruption ineffective. Prof. Femi Odedeke, an anti-graft activist, is one of those who hold such opinions, urging the president administration to adopt a new method in its fight against the menace. According to him, this is imperative since the conventional method of fighting corruption through the police and other specialised anti-graft agencies and commissions have failed to yield the desired results over the years. He urged Buhari to establish a truth and restitution commission where all those who illegally misappropriated public funds should be made to return part of what they misappropriated. “However, those who failed to comply with the non-conventional method could be made to forfeit everything they have stolen from the public coffers using the force of law,” he suggested. Dr Ada Okwuosa, a sociologist and a retired permanent secretary, nonetheless, faulted Odedeke’s suggestion for a truth and restitution commission. She urged states and local governments to rather take to set up anti-corruption agencies at the grassroots. She also called for the introduction of anti-corruption studies in schools’ curriculum to sensitize pupils and students to the dangers of corruption. But analysts urge
Buhari’s administration to strengthen the existing anti-corruption agencies and ensure the appointment of persons with proven integrity as heads of such agencies. Conscious of the expectations of Nigerians from his administration on the fight against corruption, President Muhammadu Buhari, in his inaugural speech therefore, called for the reform of the judicial system. “The country now expects the judiciary to act with dispatch on all cases especially on corruption, serious financial crimes or abuse of office. “It is only when the three arms act constitutionally that government will be enabled to serve the country optimally and avoid the confusion all too often bedeviling governance today. “Constitutionally there are limits to powers of each of the three tiers of government but that should not mean the Federal Government should fold its arms and close its eyes to what is going on in the states and local governments. “While the Federal Government cannot interfere in the details of its operations it will ensure that the gross corruption at the local level is checked. “As far as the constitution allows me, I will try to ensure that there is responsible and accountable governance at all levels of government in the country,” Buhari said. Economists, nonetheless, insists that for Nigeria to rid itself of corruption, the citizens must assist the incoming administration by reporting corrupt practices to appropriate authorities.

**Corruption in the agency (EFCC)**

The Commission has continuously found itself in the eye of the storm as a result of executing its mandate of providing financial security for the Nigerian Economy. This is only to be expected in a country boasting of Nigeria’s diversity. The Commission is serially being criticised for operating outside the bound of law and infringing human rights. While this is arguable, under my watch there has been a concerted effort to respect the rights of individuals and ensure that suspects are charged to court promptly, eschewing illegal detentions. As I have pointed out above, this has led to greater operational efficiency within the Commission.

Secondly, the Commission is perceived to be a tool of any incumbent president in dealing with political opponents and it is invariably accused of selectivity in investigations and prosecutions. The position of the Commission has always been that in a country where corruption is entrenched, it is impossible to commence the prosecution of all and sundry at the same time. In any case, the issue of selectivity is adjectival in nature under the circumstances. Most suspects investigated and commentators who make these allegations fail to bring forward the defence that the suspect in a particular case is not corrupt. This will appear to be focusing on side issues rather than the substance of the matter. The just concluded elections have again brought to the fore the impartiality of the EFCC under my watch and under the present administration. No one can today stand to accuse EFCC or myself of being used for political witchunt or thwart their political ambition. This is a clear break from the stigma of the past. This approach has in no small measure boosted professionalism in the operations of the Commission but has equally yielded more results as the table below will show. Our decision to stay away from the political terrain and concentrate on educating the masses has invariably led to the rejection of more of those we are prosecuting at the polls. See below:

<table>
<thead>
<tr>
<th>S/NO</th>
<th>PEPS Standing Trial as at 2007 Polls As At 2011 Polls</th>
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<tbody>
<tr>
<td>1.</td>
<td>PEPS Standing Trial and contested Election 14 15</td>
</tr>
<tr>
<td>2.</td>
<td>Ex-Governors standing trial, contested and won 7 2</td>
</tr>
<tr>
<td>3.</td>
<td>Ex-Governors standing trial, contested and lost 0 7</td>
</tr>
<tr>
<td>4.</td>
<td>Other PEPS standing trial, contested and won 7 3</td>
</tr>
<tr>
<td>5.</td>
<td>Other PEPS standing trial, contested and lost 12</td>
</tr>
</tbody>
</table>

Thirdly, the Commission stands accused of playing to the gallery. It is always pointed out that suspects are arrested, investigated and brought to court with so much fanfare and thereafter the case appears to wither away. While these points may be valid, it does not amount to playing to the gallery and indeed shows a misunderstanding of the mandate of the Commission. Rather, this state of affairs exposes the structural weaknesses in the administration of justice in Nigeria. The Commission is not a judicial body and indeed should not be a judicial body. Its functions are limited to investigation, filing charges in court and thereafter diligently monitoring the prosecution of the case. In practice, defence attorneys appear to have perfected the art of delaying trial of cases rather than addressing the substance of the charges against
their clients. Consequently all shades of interlocutory applications are filed and litigated all the way to the Supreme Court and back. In virtually all of the cases of politically exposed persons that the Commission has filed, these interlocutory applications tend to take upwards of 5-6 years to dispose of and the impression created in the minds of most observers is that the Commission is only playing to the gallery and was never serious ab initio with the cases. The duty lies squarely on the doors of the judiciary in expediting criminal trials. Justice is not served by these delays. To date, the Commission has over 50 of such cases of politically exposed persons that has stagnated in the courts.

**Shortcomings of the Anti-corruption agency in combating corruption in Nigeria**

The shortcomings in the efforts at curbing corruption had been prevalent. The record of success at various levels of government including states and local government had been short of expectations, considering the proportions of funds the country lost to swindlers, contract scams and money laundering (Ademola, 2011). The Acts establishing the Anti-Corruption Agencies (ACAS) had been weak and ineffective. The agencies had been poorly funded and there were evidences of lack of political will to actualize an objective anti-corruption campaign apart from this, the fight has been of sided, vindictive, selective, biased, one-sided and meretricious/falsely attractive (Ademola, 2011). The effect has not yielded the desired results. Rather than abating it, it is festering uncontrollably. The campaign has been the instrument of the Presidency and his cohort ‘deal’ with opposition in order to serve as a deterrent to others who may want to go against the will of the state (the men in power). The point here is that his double standard, these warped treatments are in themselves acts of corruption (Ademola, 2011). The EFCC has not done anything about N84 Billion Naira that was missing at the Nigerian Ports Authority (NPA). Also, nothing has been about the N311 Billion Naira that was missing at NNPC. In addition, about N50 Million bribe as given to pro-third term legislators, during the tenure elongation debate in the National Assembly, yet, the Anti-Graft Agencies did not do anything to bring offenders to justice. It was also noted that Senator Ibrahim Mantu mismanaged the sum of N400 Million in the Failed Hajj Operations in 2005. Nothing was done to bring him to book by the anti-graft agencies (Ademola, 2011). All the aforementioned were aided by the fact that the agencies are not independent of the government who funds and appoints its leaders. With the power to hire and fire, the Commissions could hardly perform their duties without fear or favour. The Yar’adua/Jonathan administration did not only inherit corruption from the previous administration, they also inherited the weak and ineffective campaign against graft. The Anti-Corruption Agencies (ACAS) were unable to perform their noble duties. Even when the National Assembly held public hearings into allegations of corruptions that they fail to pass progressive legislations that could help track offenders including freedom of information bill (Ademola, 2011). In December, 2007 for instance, Nuhu Ribadu, the then Chairman of the EFCC took the bold step of indicting the Former Delta State Governor, James Ibori. Two weeks later the Nigerian Police Chief, ordered Mr. Ribadu to resign and proceed to attend a year-long training courses, because there were many things to cover for loyal party faithful and financiers (Ademola, 2011). In recent times also, the financial scam involving the Former Speaker of the House of Representatives, Honourable Dimeji Bankole was treated under dubious condition and swept under the carpet. Likewise, the financial scam involving Honourable Farouk Lawan over the Petroleum subsidy funds did not receive any good treatment.

**THE CHALLENGES OF THE EFCC**

As indicated earlier, the commission operates within a rough terrain and it is only its doggedness that has ensured the results that it has posted.

The key challenge of the Commission has been the absence of the requisite favourable legislative framework necessary for the success of an anti-corruption war. The first of these constraints is the absence of a special court for the trial of cases of corruption and financial crimes. We have already noted the debilitating effect of the slow pace of trials. Were there to be a special court as we have always advocated, then the ratio of convictions in high profile cases and the resultant multiplier effect on the anti-corruption war will be enhanced.

Secondly, there is the need for a non-conviction based assets forfeiture law. Indeed the barometer for measuring the seriousness of any country is the enactment of this piece of vital legislation. Unfortunately,
Nigeria does not have this legislation and several attempts to introduce it have proved futile. If the Commission can boast of a recovery of $11 billion in 7 years, without this law, then definitely it will do better once the legislation is enacted. The case for the law becomes stronger in view of the unnecessary delays in trials. Once it is appreciated that corruption and economic crimes thrive because the criminal is interested in the acquisition of wealth, then part of the anti-corruption strategy must include legal structure for depriving the criminal within the process of trial of the illicit wealth. Most politically exposed person have political immunity and have the means to evade or delay trials. However where their assets are sequestered within the bounds of the law, it is in their interest therefore to either not loot public funds or to avoid delaying trials.

The next challenge the Commission faces is weak funding and capacity building structure for its staff which is a derivative of the former factor. It must be accepted that fighting corruption is expensive. It must also be accepted that the investigation of specialised economic crimes can only succeed where the officers are suitably and adequately trained.

Outdated laws within Nigeria have not been helpful to the anti-corruption fight. Nigeria’s evidence Act was enacted in 1945 and is out of touch with modern day commercial realities. For instance, electronically generated evidence is not admissible and in today’s world, it makes the job of establishing criminality a herculean task. Further, the Penal and Criminal Codes of Nigeria are over 50 years old and probably drafted for an age when the country faced “lesser” crimes such as simple theft, house breaking, et al. However the world of commerce and the society has grown more sophisticated. It would have been unimaginable to the draftsmen of the Criminal and Penal Code that anyone can steal in billions of Naira. The practical effect is that not all crimes are recognised. The sanctions contained in these two pieces of legislation are insufficient and this leads to public outcry when a convict who steals billions of Naira is convicted and sentenced to jail terms of two years or even less.

Our experience with certain countries has not been palatable. Consistently countries have not been too cooperative in retrieval of stolen funds and it will appear that peculiar national interest guides cooperation with us. We must understand that the ill effects of corruption does not only affect the origin of the illicit funds but also the receiving countries in the sense that in both locations, funds that have no bearing on productive ventures has either left the economy or has been injected into it. Consequently, there is a major distortion in macroeconomic indices and this should not be accepted. Countries must work better together. According to the UN, around $148 billion is annually stolen from Africa by the political leaders, the business elite and civil servants with the collusion and connivance of banking industries in Europe and other developed economies. This is staggering!

**The lopsided nature of the war adopted by EFCC in combating corruption in Nigeria**

We all know that corruption is a very big problem in the country, and that all hands must be on deck to frontally confront the recurring menace, in fact, the present government has at various times said, it will wage a relent war on the scourge that has continued to under develop the polity in all its ramifications. However, with the benefit of hindsight, it is very obvious that not only is the government of the day merely playing lip service to the critical issue of corruption in Nigeria, but the agencies set up to fight corruption, as well as the personnel are more corrupt and rapacious than those they claimed are corrupt. In the true sense, those that are fighting corruption do not only lack the moral right and legitimacy to fight corruption, they have been compromised and therefore, they don’t know what corruption is. For instance, when it became obvious that President Olusegun Obasanjo bought about 600 million shares in Transcorp and the denial they had offered in the past could no longer hold, they argued that it was an error of judgement or a conflict of interest and not a corruption issue, so, if this is not corruption, what then is corruption.

This takes us to another very germane and interesting issue in the fight against corruption, which is the fact that, the fight against corruption since 1999 has been lopsided, vindictive, selective, biased, one-sided and meretricious. That is why the campaign against corruption has been counter-productive, instead of it abating, it is festering controllably, and this is because when the president or those close to him commit an act of corruption, it is usually glossed over, because the agencies put in place to fight corruption in the country think the president can do no wrong, in other words, the president is above the law, therefore
cannot be subjected to the due process or the rule of law. But when it involves people that are opposed to the president politically then, it is corruption and they must be summarily dealt to serve as examples to others. The point here is that this double standard, these warped treatments are in themselves acts of corruption, and if those who claim to be fighting corruption cannot get over this basic, then they are not fit and proper to do the job they have been given. For instance, what has the EFCC done about the N84billion naira that is missing in NPA? What has EFCC done about the N311billion that is missing in NNPC? What did EFCC do about the N50million bribe that was given to pro-third term legislators, during the tenure elongation debate in the National Assembly? What did EFCC do to Senator Ibrahim Mantu, when he mismanaged N400million in the failed hajj operations last year? Just to mention but a very few instances of the selective procedure of the EFCC, which is also corruption in the real sense.

Another very important issue when talking about corruption in Nigeria, is the fact that EFCC is not an independent agency of government, that could discharge its duties and responsibilities without fear or favour, this is because it is the president that appoints the chairman of EFCC, and since, the president has the power of hire and fire, the top shot in EFCC cannot but be loyal to the president to remain in office, in a similar development, it is also the president that approves the funding for the agency, if they want to be too assertive or discharge the functions independent of the president, the president can cut them to size by starving them of funds. It is a well-known fact today that, before EFCC undertakes any task or even commences any investigation, it must sought the official imprimatur of the president, also when investigations are concluded, reports are submitted to the president for perusal, the implication of this is that, EFCC cannot do anything outside of what the president wants it to do, and this has been the bane of the fight against corruption in Nigeria. There is so much deceit, lies and manipulations in the anti-corruption debate. That is why those who claim to the spearheading the anti-graft campaign are blacker than those the say are black.

Furthermore, those campaigning against corruption in the country think they are above the law, they think the law is for every other Nigerian, but themselves. The EFCC is now behaving as if it is the law courts, issuing out judgements, it was responsible for the illegal removal of the governors of Bayelsa State, Oyo State and now Ekiti State, and it is also responsible for on-going lawlessness in Plateau State. We are in a democratic dispensation, and where the rule of law and the constitution are supposed to guide the operations of democracy, but the EFCC is misbehaving and taking laws into its hand, thereby putting the burgeoning democracy in the country in jeopardy.

It is at this juncture that, it is important to take into consideration the submission of the Alhaji Abubakar Rimi, the former governor of old Kano State on the present state of the nation. He raised an alarm over the looming danger in the country, with a warning that Nigerians should rise up and resist the destructive tendencies of the President Obasanjo administration before everyone becomes a victim. He likened the president to a bull in a Chinese shop and expressed the fear that the future of the country is no longer certain as long as the president is allowed to continue to destroy the constitutional framework of the nation. Speaking against the backdrop of the gale of impeachment plots against governors across the country, Rimi said this induced by the EFCC, signified a bad omen for the nation’s democracy, stressing that the whole process was a design for the self-perpetuation agenda of president Obasanjo. He described the president anti-graft war as hypocritical, he asked, “how can they be fighting corruption when we know that the presidency is the most corrupt institution in Nigeria today? Ribadu and EFCC take away their face from there by getting too busy destroying lesser evils when the big evil looming big”. He went on to explain in great details that, he (Obasanjo) is not ready to go. He tried to stay longer through a 40-man constitutional conference which failed him. He turned around to organize third term in a fraudulent manner to get the constitution to allow him continue in office. That also failed. Now, in the name of fighting corruption, he is intimidating governors and other elected representatives so that they will be scared of impeaching him. The tragedy of his action or so-called anti-corruption crusade is that he is using corruption to fight corruption.”

He pointed out that, “we can see all the tactics. Now, he is delaying the release of census results to the last minute. He is holding the local government elections to the last moment so as to create chaos. When confusion is created and intense, there will not be election, and that is why they have flown the ING kite
CONCLUSION AND RECOMMENDATIONS

Corruption is an aged national phenomenon which grossly hampers the country’s development. It frustrates the planning processes, distorts the socio-psychological disposition of the nation’s political leadership and instigates all manner of crisis and instability in the nation’s political life. It destroys the nation’s development fabrics such as the bureaucracy and the political leadership through pervasion of their psychological disposition; thwarts the development priorities of the government, causes incredible loss of public resources, accounts for the spectre of abandoned public projects and low standard of living of majority of Nigerians. It has crippled the nation’s education industry, the power sector, the telecommunication industry among others. It is one main reason why the public corporations in Nigeria generally failed, and a major reason why the government has been hell-bent privatizing her originally cherished public enterprises. Despite the multifaceted approach in combating corruption not much has been achieved in this direction and the much desired development has eluded the country mainly because of lack of good governance (which must be shrouded in transparency, accountability and rule of law). Corrupt leaders cannot wage any effective war against corruption. Therefore, if corruption is to be given a short shrift in Nigeria, then the following recommendations are thus made: That transparency should be enshrined into all the activities of the government from the political class down the bureaucratic echelon. Again, as already noted by Ejike Okoye (2013), to make the social, business, and bureaucratic environments corruption-hostile rather than friendly; this means that there must be well funded comprehensive public education and enlightenment programs on the nature of corruption as well as the negative effects of corruption in the Nigerian polity. This is a job that the National Orientation Agency (NOA) as well as the Federal and State Ministries of Information must undertake. This could take the form of well tested public enlightenment techniques such as the use of hand bills, public posters, print media adverts and Radio and TV jingles. At the same time, the citizenry must be made aware of the stiff penalties that await those who engage in corrupt practices. To this end, certain legal instruments must be put in place to enable unfettered corruption detection, arraignment and conviction to be facilitated. In this regard, appropriate legislation should be enacted along the following lines: A law compelling all banks to report to both the appropriate Federal and State Boards of Inland Revenue/Tax Authorities, as well as the law enforcement agencies any deposits, transfers or withdrawals of funds in excess of a specified amount (e.g. N5 million) by any individual. Such a law should provide for the automatic State confiscation if it turns out that the sources of such funds are proved in a court of law to be illegitimate or are connected with illicit money laundering. A law requiring tax in the form of “capital gains tax” to be levied against
people who appear to have come into large sums of money illegitimately or even legitimately, other than as a result of a legitimate business transaction (for example, accruals to registered businessmen who have declared taxable business profits), or otherwise sums received by a salaried person as part of an emolument package (for which normal income taxes would have been paid). A law requiring the Federal and State Ministries responsible for Lands and Housing to make it a condition for the granting of Certificates of Occupancy, as well as for approval of building plans on registered plots of land, to require applicants to indicate legal sources of funds for the development or purchase of a landed property, as well as evidence of income taxes being paid that are commensurate with the acquisition or possession of such valued property in question. A law enabling the Federal and State Tax Assessment and Collection Agencies as well as the Anti-Corruption Intelligence Agency (discussed below) and the Police to demand explanations for large acquisitions and expenditures (for any purpose including donations and pledges at “public launching” and other events) of large sums of money beyond the legitimate incomes whether of public servants or private entrepreneurs, and to impound same when sources for such funds cannot be justified in a court of law. A law requiring the mandatory public declaration of the assets of the “immediate family” (meaning husband, wife and children) of all specified senior public officers on appointment or assumption of duty as well as after disengagement. In addition, such assets (which must be covered by the Freedom of Information Act) must be verified and monitored routinely by the Anti-Corruption Intelligence Agency and the EFCC. (In this regard, it is relevant to observe that Nigerians can be very creative over asset declaration. Hence an elected or appointed official who targets stealing 100 million naira during his/her term in office could, for example, declare 105 million naira upon assumption of office. Usually, the declaration is taken on its face value; no further attempt is made to ascertain that the official is actually worth the declared amount. He/She subsequently would steal 100 million and when he/she is about to leave office, he/she declares 100 million plus whatever little money he/she might have made legitimately. No one can query the loot because it was declared when the official came into office. Hence what the government should do is to demand physical evidence of the declared assets and at the same time establish their legitimacy). A law should be enacted, declaring all crimes of corruption “federal crimes” justiciable in federal courts or tribunals. Finally, a law should be enacted creating Federal Tribunals for Corruption Offences (FTCO). The powers of such courts, sitting in Abuja and State capitals, and the form of sentences within their scope must be carefully spelt out, and the court or courts of final appeal.

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