

## **AN APPRAISAL OF THE ECONOMIC AND FINANCIAL CRIMES COMMISSION IN THE LIGHT OF THE DISASTER OF THE NIGERIAN ANTI-CORRUPTION POLITICS 2002-2015**

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**Abstract:** *The establishment of the Economic and Financial Crimes Commission (hereafter known as the EFCC) in 2002 was necessitated by rampant corruption and failure of previous anti-corruption strategies in Nigeria. Vested with huge and enormous power to fight corruption in the country, the commission has largely failed to achieve the given mandate. That corruption since its establishment instead of abating is now at an endemic state is no longer doubtable. The evidence of endemic corruption in Nigeria is manifesting all over the country: the abandoned government projects, worsening state of under-development indices and realities to mention but a few. This shows that the intrigue behind the establishment of anti-corruption strategies in Nigeria has not actually changed from what obtained in the past which always led to their failure. Against this backdrop, the paper, adopting historical analysis method, appraises the EFCC in light of the disaster of the Nigerian anti-corruption politics between 2002 and 2015. The outcome is that since the Nigerian state is endemically corrupt and so insincere in the fight against corruption, the EFCC as an organ of the state is also corrupt. Based on this, the paper contends that the EFCC's failure to achieve its mandate is as a result of the politics of anti-corruption in Nigeria. Consequent upon this, the paper therefore, advocates that for the EFCC to succeed, President Buhari's government should as a matter of expediency avoid using it as a political pawn for the advancement of selfish and group interests like other leaders before him.*

**Key words:** *Politics, Corruption, the EFCC, Nigeria, Transparency*

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### **I. Introduction**

There is no gainsaying the fact that corruption, fraud, embezzlement, bribery and forgery being brazenly perpetrated by Nigerians at home and abroad have greatly impeded the socio-economic and political development of Nigeria. Apart from creating a sense of hopelessness at home, the image of the country within the international community especially before 1999 was deplorable and depressing to say the least. It is obvious that by then corruption had tragically assumed monstrous proportions, permeated all levels of the Nigerian society, corroded its moral fabric, eroded its economic base and threatened its stability. This sorry state of Nigeria existed because of lack of sincere effort by past Nigerian governments to fight corruption transparently as many organs and laws created for it failed successively. The EFCC therefore was established in 2004 by the government of former President Olusegun Obasanjo following the failure of previous anti-corruption strategies to successfully eliminate corruption in Nigeria. It was empowered to investigate and enforce all laws against economic and financial crimes in all its ramifications and then sanitize the system. Many scholars, however, have argued that those anti-corruption strategies failed mainly due to the fact that they were conceived and executed by military regimes but the failure of the EFCC implicates that types of regimes have little or nothing to do with the fight against corruption and abuse of office in Nigeria. The question that comes to mind here is what might be the cause of the frequent failure of anti-corruption strategies of both the military and democratic regimes in Nigeria especially the EFCC which is the recent and most powerful anti-corruption organ in Nigeria.

Thus, judging the commission based on its huge and enormous constitutional power and mandate, the endemic nature of corruption in Nigeria eleven years after its establishment justifies to a large extent, the position of its critics that it has underperformed. According to Naswem in Benue.com.ng, the EFCC is a toothless bulldog. Some other critics also accuse it of being selective in the discharge of its duties, lawless as it doesn't, in most cases, follow due process and obey the rule of law, in fact, that it is susceptible to corruption. To confirm these allegations, Agbakoba and Odogiyon differently in *Zero Tolerance* (2007) have accused the EFCC of being an extra-judicial body causing fractures on the constitution in the name of law enforcement, an accusation which Fani-Kayode reconfirmed in the *Punch* (2015:3). According to the later, "The days of prosecuting people on the pages of newspapers without any hard evidence and trying to intimidate innocent people with the EFCC were long over," which implies that the EFCC is guilty of corruption.

Contrarily, the protagonists of the EFCC have a different view about the commission. For example, the former Senate President Chief Ken Nnamani in *Zero Tolerance* (2007:12) is of the opinion that the "EFCC has

been doing a great job. I have always been an advocate of the strengthening of the EFCC.” The former Secretary of the EFCC Emmanuel Akomaye as well as its current spokes person, Wilson Uwujaren also lauded the EFCC for attaining towering height in a short while. There is no doubt that the commission has done some work if we look at how it succeeded in arresting, prosecuting and jailing the like of a sitting Inspector General of Police Tafa Balogun, who is now retired; arresting and prosecuting the Vaswani brothers (Indians) who were linked to some heart breaking fraudulent activities, Governors Joshua Darieye, Ayo Fayose, Dieprieve Alamaiseigha to mention a few achievements.

However, no matter the antithetical views of the examiners of the EFCC, one basic fact that is undoubtable is that the EFCC has not been able to meet its mandate as corrupt officers and practices are visibly felt in the society. Imagine where some of the EFCC accused corrupt persons who are still under investigation and/or some persons acclaimed to have been arrested and prosecuted move about freely in the society without any known punishment and even find themselves either purportedly elected into enviable electable or appointable positions of authority. Remarkable examples are Ayo Fayose and Joshua Dariye who are currently serving as Governor and Senator respectively as well as Fani Kayode, the spoke person of the immediate past ruling party, Peoples Democratic Party (PDP). The fact here is that most of those that are being fought by the EFCC for corruption return to the positions of political power and authority have revered leaders, an anomie which negates whatever the commission defenders claim it has achieved. This type of double standard impacts negatively on the society as many other people embark on corrupt practices without the fear of any punishment from any quarters thereby making corrupt practices to rise day-by-day. This fundamental reality of life in Nigeria simply means that the EFCC has failed in fighting corruption successfully like other anti corruption organs before and side by side it.

Although many reasons have been adduced by people and even the EFCC on why the commission has failed, such reason like the corruption in the judicial system which causes a lot of delay and scuttling of justice, corruption in the police system and sometimes lack adequate fund, the contention of this paper however, is that the failure of the EFCC and by extension other anti-corruption agencies is largely as a result of the politics of corruption in Nigeria. The paper argues that although corruption is a global phenomenon which is prone to be curbed or eliminated as examples from some other countries especially those in Europe, America and Asia can attest, it is rearing an ugly head in Nigeria because of the insincerity, lack of accountability, lack of transparency, intrigue and ulterior motive of the state leaderships of different epochs and regimes who established these anti-corruption organs. For example, it has been proved that corruption can be fought successfully by states only when their leaders are sincere, accountable to the people, transparent, selfless, purposeful to winning the fight and most importantly, not above the law. That simply means that giving the EFCC its desired independence can only be made possible once the leadership of the Nigerian state of different epochs is committed to depoliticise anti corruption strategies in the country.

The discussion in this paper will proceed from the point of operationalisation of terms, the anatomy of corruption and other financial and economic crimes in Nigeria, the foundation of politics of corruption in Nigeria, historicizing the strategies adopted by the Nigerian governments to fight corruption, the EFCC and politics of corruption in Nigeria, the implication of the failure of the EFCC to fight corruption successfully, conclusion and recommendations. This paper is therefore envisioned to provide a base for a comprehensive understanding of the nexus between the EFCC and politics of corruption in Nigeria, the antecedents and outcomes. Also, it hopes to contribute to the current effort of the new government of President Muhammadu Buhari to fight corruption successfully. The work shall also provide guidance to individuals, organizations and even policy makers on how best to fight corruption at private and public places.

## **II. Methodology**

This paper utilizes historical analysis method. The method helps the researcher to gain insights into social phenomena. As such, it is like using the past to design the future. Historical analysis, specifically, entails interpretation and understanding of various historical events, documents and processes (Wesleyan University 2011). The goal of historical analysis therefore, is to develop a narrative about a specific topic based on the evidence at hand. Good historical analysis provides at least tentative answers to questions such as how change occurs in society, how human intentions matter, and how society, how ends are influenced by the means of carrying them out. Against this backdrop, in utilizing historical analysis method, the paper appraises the EFCC in the light of the disaster of the Nigerian anti-corruption politics. It covers the period 2002 to 2015. It is therefore, the humble contribution of the author to the search for a way to curb corruption in Nigeria.

### III. Operationalisation Of Terms

#### Corruption

Corruption like many terms in social sciences defies a strait jacket definition. Its specific definition and application vary with time, place and culture. Many actions popularly described as corrupt may not be so defined in laws, although they may constitute a departure from strict ethical standards. No matter how it is defined, corruption connotes the misuse of a public position of trust for private benefit/gain. What is also certain is that the phenomenon is intertwined and inseparable from power. For example, the policemen publicly extort money from motorists on the road in Nigeria because they have gun and wear khaki uniforms – all instruments of state power. The President of Nigeria who amasses monumental wealth while in office does so because he occupies the highest office in the state, a state which exists within the politics of corruption matrix. However, corruption both as a concept and in practice is globally condemnable even when it has been proved that all forms of governments are susceptible to it is condemnable as it undermines social, political and economic development by generating considerable distortions and inefficiency thereby posing as a serious developmental challenge to the state.

Nevertheless, since there is no absolute definition of corruption, let us look at other definitions. According to Lipset and Lenz (2000) corruption is an effort to secure wealth or power through illegal means for private gain at the expense of the public. Audu in journal of Africa Politics and Society (2013:210) to further shed light on the concept quotes Klitgard thus: “corruption equals monopoly plus Discretion minus Accountability. To him, whenever there is monopoly of power, discretion over decision making and limited accountability over allocation of resources there is bound to be corruption”. Johnston (2005), in another development implicates that corruption is a threat to democracy and economic development in many societies. It arises in the ways people pursue, use and exchange wealth and power and in the strength or weakness of the state, political and social institutions that sustain and restrain those processes. Based on this, we can say that the author almost captures the point as if he is writing on Nigeria because the inability of the EFCC to fight corruption successfully is partly due to the foregoing view. The author argues that the differences in the above mentioned factors give rise to four major syndromes of corruption such as what he calls influence markets; Elite cartels; Oligarchs and Clans and Official Moguls. To buttress his fact, Johnston employs statistical measures to identify societies that fall within each group and case studies on the above mentioned societies to prove that the expected syndromes do arise. The author also explores reform, emphasizing the ways familiar measures should be applied or withheld, with emphasis on the value of deep democratization. Nigeria also needs deep democratization in order to fight corruption because deep democratization breeds good governance since the essence of governance is for people to have good life.

On the other hand, Manion (2004), in trying to prove that while anti-corruption reforms are difficult to succeed in some countries that the possibility of their success in some other countries are obvious. The author contrasts experiences of Mainland China and Hong Kong to explore the pressing question of how governments can transform a culture of widespread corruption to one of clean government and argues that Hong Kong can be examined as the best example of the possibility of reforms because within few years, it was able to achieve a glaring successful conversion from corrupt to a clean government. Contrary to this, Mainland China illustrates the difficulty of reform because despite more than two decades of anti-corruption reforms, corruption in the country continues to escalate.

Manion further argues that where corruption is already commonplace, the context in which officials and ordinary people make choices to transact corruptly (or not) is crucially different from that in which corrupt practices are uncommon; that the central feature of these differences is the role of beliefs about the prevalence of corruption and the reliability of government as an enforcer of rules. Where government says one thing and does another thing is indeed a problem. Anti-corruption reform in this kind of setting where there are rampant cases of corruption is a problem not only of reducing corrupt pay offs, but of changing broadly shared expectations of venality. This paper agrees with this view on the fact that Obasanjo as President promised to fight corruption, the same with Jonathan and others before them but evidence abounds that they ended up corrupting the system more than ever hence the endemic corruption in Nigeria presently.

In another development Akani (2002), is of the opinion that corruption is an artificial not a natural component of man. This is in line with Aderinwale’s (1994) view that corruption across the board is systemic world-wide and in many African countries (including Nigeria) arising from the corruption of leadership, including a collapse of institutions designed to contain the malaise. *Wikipedia Encyclopedia* (2008) on the other hand writes that corruption in the political realm undermines democracy and good governance by flouting or even subverting formal process which in turn undermines such democratic values like trust and tolerance. The author in trying to justify the above point then includes that forms of corruption vary according to forms of government but include bribery, extortion, cronyism, nepotism, patronage, graft, and embezzlement. While corruption may facilitate criminal enterprises such as drug trafficking and money laundering, it is not restricted to these organized crime activities because in some countries, government officials have broad or poorly defined

powers and the line between what is legal and illegal can be difficult to draw. This exactly, obtainable in Nigeria where kleptocracy, that is, rule by thieves is the order of the day. Imagine where the new President, Buhari on insisting on fighting corruption vigorously, the former President, Jonathan replied that if Buhari should do that he should extend it to others before him which factually proves that he is not the only thief. The Encyclopedia therefore concludes that the burden of corruption falls disproportionately on the bottom billion extremely poor people. No matter the foregoing multiple views, this paper adopts the Encyclopedia Americana (2001) definition that political corruption is a general term for the misuse of a public office of trust for private gain as a working definition.

### **Politics**

Politics, like most concepts in social sciences defies any straightjacket definition. As such, different definitions have been given to the concept according to how the person defining it understands it. However, what is interesting about it is that it is found in all facets of human and national life and not an exclusive preserve of those that study political science. This is why Aristotle observed that man is by nature, a political animal (Winter and Bellows, 1968). This means that politics comes naturally to men as it can be felt in their day-to-day living in societies.

However, politics has been differently defined as “the art of the possible”, “a game of wits”, “all that begins and ends with government,” “the decision by the technocrats” or the study of government” which is the study of the control, distribution and use of power over human activities in society (Oji, 1999:1). In the modern view, politics is more identified with the concept of power. Thus, Laswell (1958) defines politics as who gets what, when and how, and Easton (1968) defines it as the authoritative allocation of values that are binding on the society. Viewed thus, Johari (1989, 2013:7) concludes that politics has three connotations – Political activity, political process and, political power.

1. Political activity consists of the efforts by which conditions of conflict are created and resolved in a way pertaining to the interests of the people, as far as possible, who play their part in the struggle for power. As such, political activity emanates from a situation of predicament – a form of human behavior in which the interests of persons clash or interact for the purpose of having an allocation of binding values in their respective favours and continues until the stage of the resolution of conflict is achieved either by peaceful means of reasoning, persuasion, adjustments, diplomacy or compromise, or by violent means of force and coercion.
2. Political process is an extension of the sense of political activity whereby all those agencies’ figures in that have their role in the decision-making process. As such, numerous groups are in the field for the protection and promotion of their specific interests. They compete in the struggle for power; they influence the decision-makers; they fight amongst themselves with the result that government has to play the role of a coordinator or adjuster of group relations.
3. Political power here is described as a certain kind of human relationship where power is taken to denote the whole spectrum of those external influences that by being brought to bear upon an individual can make him move in a required direction.

Notwithstanding the foregoing divergent views about politics, what is certain is that it is intertwined and interwoven with power. To prove the ubiquitous nature of power in politics Morgenthau (1948), in his celebrated statement asserts that politics is a struggle for power which means that no matter what one wants in politics, he may not get it except if he possesses power. By and large, although power theory has its limitation because there is no absolute power, there is no doubt that equality of power in politics is an illusion.

### **The Anatomy of Corruption and Other Financial and Economic Crimes in Nigeria**

Recently, corruption has been defined as including not only bribery or treasury looting but also deliberate bending of the system to favor friends or hunt foes, any misbehavior, deviation from or perversion of the system, or misleading Nigerians or giving them strong or distorted information about things they ought to know, etc. No matter how corruption is defined, the clear point to note is that it is a general term for the “misuse of public position of trust for private gain” (Encyclopedia Americana, 2001:22). Many actions popularly described as corrupt may not be so defined in law, although they may constitute a departure from strict ethical standard.

However, according to EFCC establishment act (2001:4) the following can be included as financial and economic crime: advance fee fraud, money laundering, counterfeiting, illegal charge transfers, future market fraud, fraudulent encashment of negotiable instrument, computer credit fraud, contract scam etc. Thus, act of corruption for example can be outright stealing, official corruption, bribery, and political corruption.

- **Outright Stealing:** This is a form of corruption that exists all over the world. To Onaiyekan, (2007), this kind of corruption will always be in human society because there will always be those who will try to take

what does not belong to them. Stealing of course takes different forms but in Nigeria, we are particularly worried about violent armed robbery and fraud, especially the duping and deceiving of people, otherwise known as 419. In our traditional culture, as we all know, to be a thief or to be called one, carries with it the highest form of stigma, so no matter how the society tends to hail these deviant acts or behavior as it is common today in Nigeria, it is still not a cause of pride to roam around the street as a thief. For this reason, this kind of corruption is perhaps the least disturbing since they are within our control.

- **Official Corruption:** It is not often too obvious when an official of government or even of a private firm manipulates records in order to make away with what does not belong to him or her. We hear often of embezzlement, misappropriation, or other terms which are used to euphemistically cover what at the end of the day simply means stealing. The most common act of official corruption is for instance unlawful use of official stationery for private purpose by public officials. Freely selling or using government owned drugs and hospital equipment by some workers for self or group benefit, diverting government labourers and equipment for private work, disappearance from government offices during office hours for private work, misuse of government properties, immoral behaviour towards opposite sex employees and applicants, etc. Others include the following: tampering with contract documents and payment vouchers, inflation of contracts which often follows “due process” as papers are duly signed and funds legitimately transferred but everybody knows that money of those transactions are simply an official way of stealing what belongs to the people. This act is almost becoming “a culture in Nigeria” because many hardly see it as stealing. Misuse of Estacode allowance by very senior government officials, obtaining import license fraudulently are other sources of big money corruption. This explains why someone who is appointed as a minister for instance is expected to automatically become a millionaire within a few months in office. The society which encourages this is liable to blame because without the connivance of other public servants, this vicious cycle of corruption would not have been possible.
- **Bribery:** Here, one pays something in cash or in kind to have something done. It is the commonest form of corruption, yet accepted to be a global syndrome. In Nigeria for instance, open “give and take” form of transactions are rife. The police as we see on Nigerian roads collecting ₦50 from commercial vehicle drivers is an example. Onaiyekan (2007) to further clarify the forms of bribery in Nigeria distinguishes between bribery that is given in order to receive services that are not deserved and bribery that is forced out of a victim pursuing legitimate rights. To him, while the first forms entail somebody being willing to pay for what is not ones right, in the later form, it entails extortion as someone is forced to part with something (cash or kind) in order that he may have his right. No matter which form bribery may take, one thing clear is that those who deserve the services concerned are often deprived of their rights because someone else has paid for it.
- **Political Corruption:** Encyclopedia Americana (2001) implicates this form of corruption to be as old as history of government. It states that it has not distinguished among cultures, systems of governments or ideologies as it concerns itself with the illegal pursuit or misuse of public office. This form of corruption is our main concern in this work although the other forms of corruption are inseparable from it. It is now clear that political corruption in Nigeria is possible largely because the misuse of political power has become very much the order of the day. Rules and regulations are too easily laid aside, as discretion is stretched to the widest limits. Public funds and amenities are disposed of at the whims and caprices of political office holders. Again, civil servants are indicated to be happily cooperating with these political office holders to run Nigeria dry. However, the distinguished characteristic of people in this class is the fact that they are not taken to be the ones who are committing crimes rather they are celebrated. Apparently, corruption and other crimes succeed in Nigeria because the generality of our people worship material success without caring about the genuinity of the source. This is because of some reasons traced to the colonial period when capitalism and its emphasis on material accumulation above moral values were infused into the Nigerian system.

### **The Foundation of Politics of Corruption in Nigeria**

Before 1914, there was no Nigeria in its present form. The Nigerian state like most other states in Africa is an artificial creation of the European ambitions and rivalries in the continent. Thus colonialism was instrumental to the creation of Nigeria in 1914. According to Babalola (2007), the historical background of corruption in Nigeria dates back to the colonial days. Before colonialism he stresses, life in pre-colonial Africa was a perfect typology of transparent and human conduct. It was a society thickly shrouded in an ambience of impeccable values, ethics and moral rectitude. Corruption was therefore virtually non-existent in the “pure”, “original,” African society.

The absence of corruption in traditional African setting, the author stresses, is because morality was entrenched in personal, family and societal life and conduct. This was seen in the African native law and custom which then were inextricably knitted to native morality and public opinion similar only to the original undiluted English common law. Then, emphasis was placed on virtues that epitomized sound cultural and traditional values so much that belief in supreme being, love and protection of family, and family names, filial, piety, honour and respect for parents, elders and other persons, respect for hard work and productivity, emphasis on truthfulness and honesty and overwhelming respect for the sanctity of life, respect for authority and leadership. It is informal education in the western scholars' viewpoint but to Babalola it is the formal education because a child imbibes these virtues along other trainings and grows to witness them in the character of the adults.

The author further reveals that then there was no need for police as people were policed by their consciences rooted in deep moral consciousness and for which they had awful trepidation. The sources of income of each person were known to one another since they lived openly and were accountable to their wealth, so each person lived within his income and any undue or unusual display of riches that ran contrary attracted immediate public question and probe. Where such a person is implicated to have dubiously acquired this wealth, both he and his family were subjected to public condemnation, odium, and sometimes ostracism. To sum this historical facts up, he cited the banishment of Okonkwo, the chief protagonist in Chinue Achebe's celebrated book, *Things Fall Apart* for desecrating the land even though he was an "Ozo" title holder, which placed on him at the highest echelon of power in his society, as an example. This example shows that there was practice of nobody is above the law in that pre-colonial setting.

This scenario changed in 1914 when Lord Lugard through the machination and instrumentality of the British Colonial administration amalgamated the southern and northern protectorates into what is today known as Nigeria. As a colonial state, Nigerians unwillingly became co-opted into the world capitalist system. Just like in every mode of production according to the Marxists that for a new mode of production to be entrenched, the hitherto existing one has to be dethroned, the pre-capitalist modes of production of these independent states or nationalities became submerged, subjugated and replaced with colonial capitalist mode of production. As in all capitalist systems, there appeared in colonial Nigeria the class of owners of the means of production and the subjugated class which brought into focus class differentiations and contradictions. This historical epoch nevertheless marked the beginning of class struggle in the colonial state of Nigeria.

Perhaps, one of the dominant and most permanent social consequences of colonialism in Nigeria remains the intensification of these antagonistic class contradictions as we see even today. According to Onimode (1983), the colonial state and the colonial economy by their autocracy and merciless exploitation personified these social antagonisms. This was achieved through the colonial state's acceleration of the decadence of the pre-colonial communal mode of production and the reinforcement of traditional class differentiations which highlighted possessive individualism more than communalism. This has made Ekekwe in Akani (2002), to argue that corruption is part and parcel of the economic culture of capitalism, doggedly hinged on possessive individualism. In other words, the central aim of corruption is the satisfaction of a private objective (either for self or group) to the neglect of the majority. This is in line with the definition of corruption which this paper is using.

Thus, the colonial state overtly or covertly, enshrined corruption into laws, accounting rules, social systems, religion, *et cetera*, in order to exploit the wage system, the consumer and the colonised state. Then, without the use of state power, these exploitative strides would not have been possible for the colonising state. This was how stateism and corruption jointly came to be part and parcel of the Nigerian brand of capitalism. This paper therefore claims that the politics of corruption in Nigeria is artificial just as the creation of the Nigerian state was borne out of the British imperialistic interest to plunder the human, material, and capital resources abound in the country. For example, the British colonial administration through taxes and Land Use Acts exploited and corrupted Nigerians mercilessly.

In another development, Crowder (1973:291) agrees that before 1960, "tales of corruption in public life were common" so at independence the issue of corruption had already become crystallized. To substantiate this claim, the author cites the example of what happened in 1949 when the miners of the Enugu Colliery had staged a go-slow strike and the colonial government sent in a detachment of police to collect the dynamite stored in the mine fearful that either the miners would use it or that it might find its way into the Zikists hands. The miners in turn feared that the police had been sent to break up the strike and rioted. As a result, the European in charge of the detachment ordered his police to fire on the strikers and twenty-one of them were killed. In the ensuing Commission of Inquiry the police officer responsible for the shooting was adjudged to have acted in all honesty, but to have made an error of judgment that might be expected from one of his rank and seniority. To the nationalists, this seemed too small a penalty for him to pay, and in the legislative council Zik demanded unsuccessfully that he be brought back from England to stand trial. Is this not similar to the clamour for the probe of Chief Obasanjo and other Nigerian ex-Presidents and the EFCC's adamancy? The implication of this ugly trend is that there is an intrigue behind the state's fight against corruption in Nigeria *ab initio*.

Observers of the fight against corruption in the country are also of the same opinion. According to some of them, the outcomes of the commissions of inquiries on alleged corrupt practices involving public officers between the late 1950s and early 1960s confirmed the long standing history of corrupt practices in the country. The 1956 Foster-Sutton Commission of Inquiry into the allegation of abuse of public office leveled by Mr. E.O. Eyo against Dr. Nnamdi Azikiwe (Crowder, 1973) and the 1962 Justice Coker Commission of Inquiry into the allegation of corruption in the Western Region's Marketing Boards (<http://www.thetidenewsonline.com>) are few examples. No doubt, both commissions discovered actually that there were elements of corruption involved in those cases. 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 the country might have lost close to 400 billion dollars between 1966 and 1979. Many military coups and counter coups that brought the military into politics in Nigeria were cited by the coupists as one of the major reasons for the coups. However, regrettably, none of the military regimes was able to rid Nigeria of corruption just as their civilian counter parts. Rather, Nigeria has gone through a civil war and other difficulties in their hands mainly as a result of corruption. And as a result, corrupt practices have continued unabated. The above facts therefore imply that the root of politics of corruption in Nigeria should not be sought in the values and attitudes of poor Nigerians but in the nature of our inherited state system. In other words, the neocolonial and dependent capitalist nature of the Nigerian state today according to Nwankwo in Akani (2002) has made both Nigeria and its institutions to serve as means for mindless corruption and primitive accumulation of wealth by both Nigerians and foreigners, hence the reason for the politics. The EFCC as a government apparatus no matter the success is not devoid of this aberration.

### **Historicizing Strategies Adopted by the Nigerian Governments to Fight Corruption**

The chequered history of Nigeria since independence has seen her through many changes of government. Within this period, the country has had fluctuating fortunes. Often, she had stood on the brink of disaster but had been saved by some timely intervention. Within the same period, based on the foundation of politics of corruption already laid, the economic, political, social and moral bases of the country have continued to be severely eroded and degraded. From the facts available, successive governments in Nigeria have not been folding their arms on this worrisome issue of corruption, only that the success or otherwise of any government in fighting corruption depends on the sincerity of those at the helm of affairs and the cooperation of the citizenry. Historically, it is not surprising that Nigeria's first coup in 1966 was inspired by the desire of the military to rid the nation of corruption. The reports of the various panels of inquiries into the assets of public officers and other persons set up by the then Federal military government revealed large scale of fraud and embezzlement of public funds by the political leaders. The result of these inquiries led to the forfeiture of assets of a number of persons to the government of General Yakubu Gowon, as a deterrent.

On July 29<sup>th</sup>, 1975, the regime of General Yakubu Gowon was toppled on account of large scale corruption by his close aides and General Murtala Mohammed took over as head of state and promised Nigerians a cleanup. His own regime's anti-corruption crusade was targeted on public servants and this made it that many public servants were purged out of the public service including top military and police officers. His sudden death on 13<sup>th</sup> February 1976 eventually paved way for his second in command General Olusegun Obasanjo to become the head of state. Like his predecessors, General Olusegun Obasanjo and other subsequent heads of state initiated one form of anti-corruption strategy or the other. According to anti-corruption Advocacy Handbook (2004) some of these anti-corruption strategies include the Jaji declaration in 1977 by General Olusegun Obasanjo; the Ethical Revolution of President Shehu Shagari in 1981, 1983; the war against indiscipline and later corruption by General Mohamadu Buhari in 1984-85; the National Orientation movement by General Babangida in 1986; the Mass Mobilization for Social Justice and Economic Reconstruction MAMSER by General Babangida in 1987 and the war against indiscipline and Corruption in 1996 by General Abacha; the corrupt practices and other related offences Act 2002 by President Obasanjo. Apart from the above, there are also other legal instruments for combating corruption in Nigeria such as Criminal code – (AP 42 Laws of the Federation; The constitution of the Federal Republic of Nigeria 1999; The code of conduct and Tribunal act CAP 15 LEN 2004.

With all these strategies on ground, corruption continued to surge higher and higher because those claiming to be fighting it are the same people always indicted for not allowing it to succeed. This was confirmed by Brigadier Tunde Idiagbon while launching the WAR AGAISNT INDISCIPLINE and CORRUPTION (WAI-C) in 1985 as he blamed the Nigerian leadership for lacking the moral backbone to effect any restorative or corrective change. Stressing further, he blamed the President Shehu Shagari's Ethical Revolution programme in particular for not going "beyond mere sermonisation and hypocritical rhetoric's enunciated in the non-starter revolution" (Federal Ministry of Information, 1985). This paper doesn't agree with him that it was only President Shagari that was hypocritical because evidence has indicted all the regimes.

### **The EFCC and Politics of Corruption in Nigeria**

By 1999 when the last military regime headed by General Abdulsalami Abubakar handed power over to Chief Olusegun Obasanjo as the civilian president, the image of Nigeria at home and abroad was deplorable and depressing. By that year corruption had already assumed monstrous proportions, permeated all levels of the society, corroded its moral fabric, eroded its economic base and threatened its stability. In recognition of this Nigerian sorry state, President Obasanjo in his inaugural speech declared a total war against corruption, insisting that there would not be a “sacred cows.... Nobody, no matter whom and where would be allowed to get a way with the breach of the law or the perpetration of corruption and evil” (Adelegan, 2008:202; ICPC Progress Report, 2005:1). To strengthen the various measures put in place to rid Nigeria of corruption and other social vices, President Obasanjo’s administration established two anti-graft bodies – the Independent Corrupt Practices and other Related Offences Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC). Although the two commissions were established to fight corruption and have not achieved their mandates, this paper concentrates only on the EFCC because of the huge and enormous power given to it by the government and because of the central position it occupies when it comes to fighting corruption in Nigeria. More important is the controversy that trails it whenever its achievements and misdemeanor are appraised.

The Economic and Financial Crimes Commission (the EFCC) was established in 2002 by an Act of the National Assembly which was amended in 2004. The establishment of this commission was borne out of the acclaimed determination of the former President Obasanjo’s administration to sanitise the Nigerian socio-economic environment by enforcing all economic and financial crimes laws. According to the *EFCC Handbook I* (2004:1), “The EFCC was established pursuant to these objectives as the financial watchdog of the business environment, with the mandate to sanitise the system.” The EFCC Act was thus a major departure from the past enabling laws for fighting economic and financial crimes, in terms of power, functions and responsibilities. It has both the responsibility to investigate and to enforce all laws involving economic and financial crimes in all ramifications. It is also the designated Financial Intelligence Unit (FIU) in Nigeria.

The functions of the EFCC further include the following, as contained in the hand book cited above: To investigate all financial crimes such as advanced fee fraud (419), money laundering, counterfeiting, illegal charge transfers, future market fraud, fraudulent encashment of negotiable instrument or fraudulent diversion of funds, computer credit card fraud, contract scam, forgery of financial instrument, issuance of dud cheques, *et cetera*; adoption of measures to identify, trace, freeze, confiscate, or seize proceeds derived from terrorist activities, economic and financial crimes related offences, or the properties, the value of which corresponds to such proceeds; adoption of measures to eradicate and prevent the commission of economic and financial crimes with a view to identify individuals, corporate bodies or groups involved; collaboration with government bodies within and outside Nigeria carrying out the functions wholly or in part analogous with those of the commission, *et al.* The commission also has the power to investigate the properties of any person if it appears to it that the person’s lifestyle and extent of the properties are not justified by his source of income. If proved guilty, the person’s property should be confiscated by the federal government of Nigeria. Thus, the EFCC in collaboration with the High Court of the Federation or State or the Federal Capital Territory, FCT, can try offenders, penalize them and enforce all penalties.

The above background study is done to enable us prove why there is much expectation that the EFCC has come to eradicate corruption from Nigeria. Today, the commission has successfully implemented some of its investigation and prosecution mandate. Some of the achievements according to *Anti-Corruption Handbook* (2008:11), include the following: Receiving over 5,000 petitions, investigating 2,103 cases of which 306 are under prosecution; arrests made so far are more than 2,000 and number of convictions are above 100. The value of assets and cash recovered are 5 billion US dollars and several houses, land, luxury cars, airplanes, and oil tankers. By 2015 statistics have shown that the worth of the property recovered by the EFCC is about ₦11 billion. ([www.thetidnewsonline.com](http://www.thetidnewsonline.com)).

Other achievements of the commission include the arrest and deportation to Britain on 27<sup>th</sup> May, 2003 of Vaswani Indian brothers of Sunil, Maresh and Haresh. The surprise deportation of the trio who for a decade straddled the Nigerian automotive and commodities trading sector with ruthlessness of a *Mafioso* according to the EFCC official magazine (*Zero Tolerance: 2007*), announced the emergence of the EFCC on the Nigerian law enforcement firmament as the nemesis of fraudsters and peddlers of corruption in both the public and private sectors of the Nigerian economy. The landmark positive implication of this experiment is that the EFCC does not spare even foreign corrupt people.

To prove that nobody really is above the law, the EFCC also arrested and prosecuted other wealthy and influential fraudsters like Emmanuel Nwude who collaborated with the Vaswani brothers to dupe a Brazilian Bank of a huge sum of 242 million US dollars, Chief Maurice Ibekwe, a late member of the House of Representatives, Fred Ajudua, Amaka Anajemba, *et al.* Some serving and non-serving governors of some states in Nigeria have at one time or the other been arrested and prosecuted by the EFCC. They include; Dieprieve Alamiyeseigha (Bayelsa), Joshua Dariye (Plateau), Ayo Fayose (Ekiti), and others while some others are still



under investigation – Murtala Nyako, Ali Modu Sheriff, Dieprieve Sylva and so on. Their offences ranged from corruption, money laundering and other related offences.

Another big achievement of the EFCC is the arrest, prosecution of and six months jail term on former Inspector General of Police, Tafa Balogun has remained in history, the first and only chief law enforcement officer of the federation to go to jail. He was discovered to have stolen N17 billion of police funds which he siphoned through seven of his companies. The EFCC against the former Vice President, Atiku Abubakar is another case of importance. By far, this investigated case against Atiku remains probably the most controversial of cases of/by the commission. Atiku was revealed to have misused the Petroleum Technology Development Fund, PTDF's 125 million US dollars. Although this case involved some other heavyweights like Mike Adenuga of Globalcom and Otunba Fasawe, the immunity clause (which many public office holders in Nigeria abuse) which the former Vice President enjoyed prevented his immediate prosecution for corruption and abuse of office. We then ask, if Tafa Balogun could not enjoy any immunity as police chief and was jailed, now that Atiku Abubakar is no more the Vice President, why has the EFCC been unable to prosecute him knowing well he no longer enjoys any immunity? More so, if some serving governors were arrested, prosecuted and disgraced, why is the EFCC adamant to listen to all the allegations different people including former President Jonathan have officially and unofficially instituted against former President Obasanjo on his monumental corruption while in office? What about the other former heads of State – Gown, Shagari, Buhari, Babangida, Jonathan himself etc. However, in spite of all the above mentioned (and some not mentioned here) achievements of the EFCC, corruption still grows at higher levels in Nigeria on daily basis.

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 corrupt practices in the country. They cite the 2012 ranking of Nigeria as the 35 most corrupt country in the world by the Transparency International to justify their view" (<http://www.thetidenewsonline.com>). However, this paper is of the view that although the EFCC has achieved some feat within the shortest time of its existence, the politics of corruption has indeed deterred its efforts to totally rid Nigeria of corruption. The EFCC itself has accepted this when it wrote that despite the numerous achievements it has recorded, the commission believes it can create an even greater impact if more attention is paid to its crime prevention and civic education mandate. This self indictment by the EFCC is not a prank because other people have variously accused it of underachievement. The critics point their fingers on selective justice, disobedience to the rule of law, lack of integrity, transparency and sincerity among the leadership as some of the reasons why it has not achieved its full potentialities.

To some others, the failure of the EFCC to fight corruption successfully like agencies before it emanates from the international arena where colonialism, imperialism, capitalism and neo-colonialism have been blamed for the continued corrupt practices in Nigeria. Then, to the majority, all efforts of the government to fight corruption in Nigeria can never succeed if the leadership insincerity to the fight is not addressed. While some powerful leaders who are openly corrupt are not indicted by the EFCC others who may be considered less corrupt are decisively dealt with. Look at the present scenario in Nigeria where a number of Central Bank of Nigeria low and middle class workers are being investigated and prosecuted by the EFCC for some alleged financial impropriety whereas most top politicians especially the former and present heads of state are moving around freely without being quizzed by the same EFCC notwithstanding all the allegations of corruption that have been leveled against them. According to Lanke (Zero Tolerance, 2007:18), "the EFCC is no more than extra – judicial body causing fractures on the constitution in the name of law enforcement." To Agbakoba, the commission may have come to stay but it is only at the expense of the constitutional right of many victims. This is selective justice.

The more worrisome side of this selective justice is the inability of the EFCC to indict former presidents. Are there supposed to be any "sacred cow" in the sincere fight against corruption in Nigeria? No. President Obasanjo in his inaugural speech in 1999 promised that there won't be any sacred cow in his fight against corruption but he has turned to be the main sacred cow. So, if the Nwudes, Anajembas, Ajuduahs (all 419 kingpins); Grange, Wabara, Alamesiegha, Dariye, Fayose, Atiku Abubakar, Tafa Balagun (all public servants and politicians), among others could be handled by the EFCC for corrupt practices, what about Chief Obasanjo, Dr. Jonathan, Generals Gowon, Buhari, Babaginda, Abubakar and even Alhaji Shagari? Evidence of Chief Obasanjo's monumental corruption as reports in the *Insider Weekly* (2008) indicates that no fewer than a hundred petitions against the Chief have reached the EFCC, calling for his probe, yet nothing has happened. Before he became President of Nigeria in 1999, the source exposes, Obasanjo was not rich but on leaving office in 2007, he had acquired the following: 10,000 hectares of land in Cross River State, 5,000 hectares of land at the Kwa plantation in the same state, 20 million shares in Transcorp company, Bells University of Technology, Presidential Library project that made 36 state governors to contribute N100 million each, large parcel of land in River State etc. This is amazing!

The absence of due process, checks and balances, freedom of information and the rule of law contribute to pave way for Obasanjo, his likes and their cronies and the EFCC to play politics with a serious matter like the fight against corruption. Then, where went the Judges and the Judiciary, the Nigeria Police and other law enforcement agencies in Nigeria? The answer is that while all of them are there, they are also corrupt. So the corruption fighters are equally the corrupters. Agbakoba (Vanguard, 2007:43) cites an example where the EFCC officials including lawyers were torturing people at Sheraton Hotel Abuja, in respect of those they detained concerning the Enugu State government case. So, this issue of selective justice goes hand in hand with the disobedience to the rule of law. That is politics of corruption. As we all need to know, by the rule of law, a suspect is protected under the law until he or she is judiciously found guilty. Rule of law also protects a suspect from being detained beyond reasonable period, and guarantees right to fair hearing. This implies that the suspect does not need to face any kangaroo trial. An example below shows how former Abia State Governor, Orji Kalu obtained an order from Umuahia high court restraining the EFCC from arresting or trying him for alleged corrupt enrichment. Duro Onabule (Daily Sun:2007:7) reports that in complete defiance of that court order, "the EFCC still arrested Orji Kalu and arraigned him in an Abuja court which clamped him in detention for about a fortnight. The issue here is not Orji Kalu's innocence or attempt to escape trial (because many people have evidence that Kalu is indeed corrupt). The issue is that he exercised his fundamental human rights to obtain court order against his arrest in advance but the EFCC disobeyed that court order. Orji by then had a faceoff with President Obasanjo which made the President to humiliate him through the EFCC. When you comply with the President then you can enjoy your power again. This also happened in the regime of Dr. Jonathan.

Manipulating the EFCC by the Presidency did not stop with Obasanjo because under former President Jonathan, the EFCC deployed its operatives to intimidate about ten governors perceived to be enemies of his ambition of contesting for the 2015 presidential election. These were governors of Rivers, Imo, Kwara, Bauchi, Zamfara, Jigawa, Gombe, Kebbi, Katsina and Sokoto states (<http://saharareporters.com>). The governors raised an alarm that they were being witch-hunted by the ruling party then, the Peoples Democratic Party because of opposition politics. Benue.com.ng referring to the EFCC under President Jonathan as a toothless bulldog confirms that both former Presidents Obasanjo and Jonathan really used the EFCC to witch-hunt the opposition because just as the ten governors were witch hunted in 2014/2015 election period, on August 22, 2005 former governor, then governor Orji Kalu of Abia State accused President Obasanjo of using the EFCC to witch-hunt the opposition. However, when critically assessed, if President Jonathan had prevented the National Assembly from intensively probing the Petroleum Minister, Mrs. Alison-Madueke and preventing the EFCC from prosecuting and convicting her and others over allegations of corruption it confirms that the spirit of Obasanjo and Jonathan in using the EFCC as a political pawn is the same. The case of the above mentioned CBN workers and the role of the EFCC is suggesting that the incumbent president Muhammadu Buhari really needs to do something immediately if he hopes to achieve success in his much promised effort to fight corruption in Nigeria because this case is within his regime.

### **The Implications of the Failure of the EFCC to Fight Corruption Successfully**

According to Pradan, James et al (2000), corruption has increasingly been recognized as a central challenge for many countries because it is undermining the credibility of the state, impeding investment and growth and inflicting significant cost to the poor. This is the case of Nigeria because of the failure of the EFCC to fight corruption successfully. The implication of this is that the prevalent practice of corruption seems to have become a part of the Nigerian people's culture. This is true because according to Dowse and Hughes (1972:226-227),

*...as individuals interact with one another they generate ideas, expectations, attitudes and beliefs about their common activities; in short, they create a culture although, of course, the vast majority of people are born and socialized into a cultural which they take as given. These cultural ideas come to be associated with particular patterns of social behavior ... For an individual the culture gives meaning to the actions and objects of social life; in another he is killer is a brutal murderer, in another he is feted as a hero.*

In line with the quotation, in Nigeria, the more you become corrupt, the more you become a hero where as in some other countries one allegation of corruption can send somebody to jail. For instance, whereas the current serving Prime Minister of Romania Victor Ponta in June 2015 was questioned by prosecutors for an alleged corruption while practicing as a lawyer in 2007/2008, an array of corrupt Nigerian past leaders especially heads of state, not to talk of serving one, are revered and celebrated, even as they level allegations of corruption on themselves. Lending credence to the foregoing, Agbakoba, the former president of the Nigerian Bar Association, in <http://www.nigeriabulletin.com> writes:

*... the EFCC is unable to exercise its prosecutorial authority independently because it is afraid of the President... the EFCC is afraid because its source of money comes from the President.... These institutions were identified in South Africa and taken away from the control of the President and they report to the National Assembly for funding. This has made the South African institutions so balanced that Jacob Zuma was taken to court for rape and corruption. It can't happen here. No Nigerian president can be taken to any court under the present situation.... The culture of impunity is a challenge for General Buhari.*

It, thus becomes obvious that a multitude of people who mount the roof top to condemn corruption in Nigeria also practice it in the secrecy of their closets. The consequence of the leaders who pilot the ship of the Nigerian State being corrupt and using the EFCC as a political pawn to enhance corruption can be summed up in the Biblical saying that all have sinned and as a result, come short of the glory of God. Indeed, it is difficult to find a Nigerian whose hand is free of corrupt practices, especially those with political power. In fact, this ugly scenario can be likened to where two elephants had a tough fight, where it is believed that it is usually the grass that suffers most.

It is Nigeria as a nation that is suffering; corruption has brought Nigeria to the edge of a precipice. This is equally confirmed by President Muhammadu Buhari himself during his electioneering campaign as he answered the critics on his certificate scandal that “corruption, insecurity not certificate are the main issues in Nigeria” (New Telegraph, 2015). An argument is necessary here because this paper is not in support of a highly placed citizen of Nigeria being involved in a certificate scam because if proved, it can trigger the lowly placed citizens to do it with impunity, yet, the crux of the matter is that corruption is the main reason why insecurity as well as certificate scam thrive in the country. Many have argued that once the culture and politics of corruption are eliminated in the country other challenges of the developmental state shall be fixed with ease. Nwosumba (2013), for example has argued that the worsening food insecurity; growing poverty, unemployment, homelessness, hopelessness, terrorism, religious bigotry, ethnic unhealthy rivalries, abandoned government projects, poor health conditions and facilities, dwindling educational standard and many underdevelopment indices and realities in Nigeria are because corruption has ascended to the point of being endemic. This is crisis of corruption. Today, there is no doubt that many Nigerians, mostly the poor, who are directly bearing the brunt of Nigeria’s crisis of corruption lack high self esteem, social security and dignity unlike many in the developed countries where the issues of corruption are at the lowest ebb and majority of the people are enjoying the bliss of transparent and accountable leadership. The question, therefore, is, if the corruption fighter has become corrupted, what then is the faith that corruption can be eliminated from Nigeria.

Critics of the EFCC as a result of its failure, may be on using Singapore and Hong Kong as case studies, have called for the establishment of an anti-corruption special court to be situated in the high court’s which shall handle anti-corruption cases. This court according to them shall displace the EFCC and be made to dispense justice duly and without delay. The implication of the suggestion is that most Nigerians have lost confidence in the commission’s commitment to fight corruption and as such seek for an alternative strategy. Others, rather, have called for the retention and strengthening of the commission so that it can change its status of a toothless bulldog to a bulling bulldog. Another group on the other hand believes that the merging of all the anti-corruption agencies with the police can give the result needed since evidence, in some countries, has proved that the police institution remains the best means through which corruption can successfully be fought.

By and large, the implication of the suggestions is that many Nigerians including Femi Odekunle quoted in <http://www.thetidenewsonline.com> have lost confidence in the potency and efficiency of the EFCC and as such are in dire need of an alternative strategy. On this ground, this paper argues that even when the above suggestions are acceptable what matters is the change of the character of the Nigerian leadership because no matter the option adopted, if it is also politicized, the result will still remain the same – worsening corrupt practices at high and low places. The consequence of the foregoing implications is that the country has lost over N2 trillion to tax evasion by capable companies and cyber crimes perpetrated by some Nigerians. The chairman, 7<sup>th</sup> Senate Committee on Establishment and Public Service Matters, Aloysius Etok, in revealing the above figure as released to him by the EFCC and some other agencies opines that the corruptive effect of these economic crimes affect not just Nigeria but the international community. He stresses that although Nigerians may not experience it personally, some of the consequences of these crimes indirectly generate negative impacts on the economy which leads to so much poverty, unemployment and threats to the nation’s security (Nda – Isaiah, <http://leadership.ng/business>).

#### **IV. Conclusion and Recommendations**

In conclusion, the politics of corruption in Nigeria is a topic chosen because of the imperative and expedient need that the endemic corruption in the country must successfully be fought within the shortest possible time before it will be able to pursue its dream of being one of the largest economies of the world. As the paper contends, Nigeria has the potentials to achieve this dream through the EFCC. This contention is made sequel to the manipulation of the EFCC by the former Presidents Obasanjo and Jonathan's administrations which for example shows how the doctor who is supposed to cure the disease of corruption was infected by the disease.

In the light of the foregoing, this paper concludes that:

- It is not the man on the street who is fighting tooth and nail to survive because Nigeria has failed to provide the basic needs of life-food, shelter, clothing for him that should be held responsible for the endemic corruption in the country today but the Nigerian state and by extension, the coterie of men who pilot the ship of state, who out of insatiable lust for honour, security, and mainly richness, embark on primordial accumulation of wealth hence the politics in the fight against corruption in the country.
- That the failure of past and present regimes in Nigeria to fight corruption through the established anticorruption organs as exemplified by the EFCC proves that the Nigerian state is not really trying to solve the problem of corruption in the country because of the benefits it enjoys from it.
- As such, politics more than any other factor the main reason the paper identifies that is largely responsible for the failure of the EFCC like other anti-corruption organs to successfully rid Nigeria of corruption. Thus, even as it appears that Nigeria is stranded because of not having reliable and trusted strategies for fighting corruption, the paper insists that the EFCC remain the best strategy for now.

In order to successfully fight corruption in Nigeria through the instrumentality of the EFCC the paper advocates the following:

- Conscious effort should be made by the government to establish indices to ensure the citizens' lives conform to their ascertainable lawful income. By so doing, government is thereby discouraging ostentatious lifestyle which has been implicated in this work as part of why corruption is so endemic in the country. To achieve these and many other results, all corruption-friendly relics or vestiges of colonial subjugation in our laws and law books should be weeded out.
- Equality before the law as a concept has to be practiced in order to avoid selective justice and disobedience to the rule of law. This is so because no lawlessness is more pernicious than lawlessness of the state leaders. By so doing the former heads of state of Nigeria found to be corrupt shall face the penalty as those who had occupied lesser positions. Former President Goodluck Jonathan on leaving office in 2015 had equally advocated this by saying that if this is not done; it will amount to witch-hunting.
- As it is not only enough to pursue corrupt people and hold them accountable, good behaviors are supposed to be adequately acknowledged, recognized, and rewarded by the government and by extension the EFCC. By doing so, many in the society will aspire to do good in order to be rewarded. Those who are honest on their job deserve to be rewarded in a clear way that should serve as a lesson to others. Onaiyekan (2007) in support of this recommendation further adds that all we have said will require a massive programme of clean up. The question now is who will bell the cat?
- The new government of President Muhammadu Buhari hopefully will bell the cat as promised only if: he had not been corrupt before evidentially because if he had, he should first of all probe himself and then have the *locus standi* to probe even other heads of state (former) and many corrupt leaders that surround him now as political associates and friends. This is in line with the judicial aphorism that he who must come to equity must do so with clean hands. It is leadership by example. Although Ghana cannot be said to be corrupt-free but her image internationally in terms of corruption is better than that of Nigeria and this is largely due to the clean up done by General Rawlings and the good ordinance that followed it so this clean up is also expedient in the Nigerian present circumstance. One can say that Rawlings did it because of military authoritarianism; that democratic rigorous approach may not allow this in Nigeria but it is not true. What Nigeria needs is the total commitment of the leadership especially that of the President to lead an exemplary life-style of not projecting corruption and protecting corrupt officials. He should then make the EFCC to be totally free of being a political pawn. It has all the laws required for the fight so the paper is not advocating for more laws or anti-corruption organs but true independence and reinforcement of the EFCC if this success can be achieved in no distant time. The president should borrow a leaf from the former President Jonathan's non-meddlesomeness in the affairs of INEC. The success of the commission in the 2015 general elections however does not absolve Jonathan of corruption allegation while in the office but proves that once an organ of the state is not established and used as a political instrument against perceived enemies and advancement of selfish and group interest it is bound to deliver its mandate.

- Then, for the EFCC to become viable and efficient if given true independence there is need for a total clean up and overhaul of the personnel composition of the organ. Those coming in should be absolved of corruption before being appointed. More so, the EFCC should be adequately funded to avoid some excuses for corrupt practices.

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