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# **The Economic and Financial Crimes Commission's Struggles to Prosecute Corrupt Politicians in Nigeria Under President Muhammadu Buhari's Administration: A White-Goose-Chase**

Nnamdi Azikiwe Journal of  
Political Science (NAJOPS).  
2023, Vol. 8(4)  
ISSN:2992-5924  
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## **ABSTRACT**

Corruption in Nigeria has become intractable due to the character of the Nigerian state which manifests through political culture of office holders; compromised sincerity, as well as politics of prebendalism and political corruption. This study examined factors that undermined the Economic and Financial Crimes Commission's struggles to persecute corrupt politicians in Nigeria under President Muhammadu Buhari's administration from 2015-2023. The method of data collection was majorly through documentary method. The study is theoretically anchored on Richard Joseph's theory of prebendalism (1987). After thorough analysis, the following findings were made: Despite efforts made by the Economic and Financial Crime Commission to curb corruption in Nigeria, corruption still widespread because of the character of the Nigerian state. The study also found that the corrupt nature of the Economic and Financial Crimes Commission's chairmen contributes to low persecution of corrupt politicians in Nigeria. The study concluded that more need to be done if the war against corruption would be won, and recommended among other things that: The government should embark on attitudinal change campaigns on the change begins with me mantra of President Muhammadu Buhari's administration. Also, the EFCC should be strengthened to ensure timely prosecution of those indicted of corrupt practices.

**Keywords:** Anti-Corruption agency, Corrupt Politicians, EFCC, President Muhammadu Buhari, Nigeria.

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## Introduction

Corruption in Nigeria has become intractable due to a number of factors which include but are not limited to the character of the Nigerian state; political culture of office holders; tendency to shield political allies from investigation and persecution; elites character of the Nigerian state; Greed and politics of vengeance character of the Nigerian state, compromised sincerity of the Nigerian state, as well as the Nigerian state politics of prebendalism and political corruption under President Muhammadu Buhari's administration from 2015 to 2023. These factors exacerbated corrupt practices in both public and private places in Nigeria. This anti-social phenomenon has contributed significantly to the very low rate at which the country is progressing economically, socially, politically and even morally.

President Muhammadu Buhari inability to right the wrongs of previous administrations made corruption to fester in alarming proportion in the country as the administration shielded corrupt allies with juicy portfolios, pardoned electoral supporters and appointed corrupt individual members of his ethnic groups to head various ministries, departments and agencies (Kukah,2022). The pervasive nature of this scourge is known and felt by every average Nigerian, and its manifest effects is felt in every stratum of the society because some of the appointees lack the requisite knowledge and competence to deliver on their mandate. This oftentimes leads to leadership ineptitude. Thus, undermining the integrity of government and public institutions in Nigeria (Kukah,2022).

The damage done by corruption to the country's polity, economy and development is critical. This was why the President Muhammadu Buhari's administration from 2015 to 2023 launched the presidential committee on anti-corruption with the mandate to promote the reform agenda of the government on the anti-corruption effort, and to complement the efforts of the EFCC and combat corruption to a standstill in the country, among other terms of reference. However, despite these lofty initiative by the President Buhari's led administration, corruption in Nigeria appears to be far from over owing ostensibly to the character of the Nigerian state which is tantamount to compromised sincerity of the policy makers and those entrusted with its enforcement. This has affected the relevant policy implementation mechanisms of the President Muhammadu Buhari's administration to prosecute corrupt politicians in Nigeria, as every corruption cases oftentimes ends in bail application (Ugoani,2016).

Today, the cost of food items, building materials, transportation fares, wears, education, medication and other essential services have gone beyond the purchasing powers of the common man in Nigeria. Even in our religious settings moral rectitude has been thrown to the trash-can. The corrupt nature of the country's security architecture has contributed to the porous borders that allows the influx of foreigners disguising as herdsmen into the country which has further exacerbated the security challenges in Nigeria as lethal weapons are been imported into the country without trace, even when these borders are said to remain closed under President Muhammadu Buhari's watch (Usman, 2020).

In a bid to address the phenomenon of corruption in Nigeria, President Muhammadu Buhari inaugurated the presidential advisory committee on anti-corruption to address the issues of corrupt practices in both public and private places in the country. The Presidential Advisory committee was established in August 2015, with the mandate to promote the reform agenda of the government on the anti-corruption effort, and to advise the administration in the prosecution of the war against corruption and the implementation of required reforms in Nigeria's criminal justice system. It was to initiate the whistle blowing policy of the Federal Government; To also empower Judges and Prosecutors to operate effectively in carrying out their responsibilities through Workshops on the new Administration of Criminal Justice Act, 2015. And finally, to help the Economic and Financial Crimes Commission devise clearer strategies for obtaining forfeiture of assets suspected to have been acquired fraudulently, mainly from State Cooffers, before prosecuting suspected culprits.

Part of this work has involved painstakingly reviewing existing Laws (like the Money Laundering Act, 2004 and the EFCC Act, 2004), to identify and highlight sections directly conferring powers of forfeiture on Nigeria's anticorruption body. This advocacy has led to a significant increase in the use of Non-Conviction Based Asset Forfeiture Mechanisms by the Economic and Financial Crimes Commission. However, despite efforts that were made by the President Buhari's administration from 2015 to 2023 in Nigeria to stamp out corruption, corruption still persist due to the character of the Nigerian state, lack of political will, and compromised sincerity of those mandated to fight the scourge. This study therefore, examined factors that undermined the Economic and Financial Crimes Commission's struggles to persecute corrupt politicians in Nigeria under President Muhammadu Buhari's administration from 2015-2023.

### **Theoretical Framework**

This paper is theoretically anchored on Richard Joseph's theory of prebendalism (1987). The theory argues that the constituent ethnicities in plural societies are the basis for the organization, legitimization, and mobilization of ethno-clienteles' network of patronage, corruption, mis-governance and rent-seeking behaviour. It is a situation where office holders of any given state are regarded as prebends that use their offices to generate material benefits for themselves, their kin and members of their subgroups or nationalities to the exclusion of other groups.

This situation creates conflict and mistrust among the various subgroups as is being experienced in Nigeria and eventually leads to instabilities in such plural societies. This theory argues that when people of different ethnic nationalities come together without proper integration, people from each group tend to see themselves as representing their ethnic(primordial) group. This encourages unhealthy rivalry, exclusionism and instabilities in such a society.

A critical point Joseph makes and which is key to understanding prebendalism is that the office holder is able to appropriate the office, meaning that he converts it into his or her piece of the state. Joseph described the essence of prebendalism as "authority stealing". According to him, it is the authority entrusted to state offices that is stolen by those appointed or elected to fill them. Thus, an individual is given a public office in order for him or her to gain personal access over state resources. It entails practices in which important state agents unambiguously subvert the rule of law for personal gain.

In applying this theory to our study, it is pertinent to emphasize that Nigeria is a peripheral capitalist state. And in a society with such a nomenclature, state power is used for primitive accumulation of what belongs to all by few privileged. Since access to state power guarantees access to state resources, there is heightened competition for political offices with little regard for the statutory purposes for which such offices were created. Thus, public servants who occupy vantage positions in government, see it as an opportunity to appropriate state resources, first for themselves and secondly for their kin groups. While they are holding such positions, their kiths and kins utilize every means available to remind them that their position is a once in a lifetime opportunity that must be utilized for the benefit of their people to the total exclusion of other groups. In this connection, Mores that encourage cronyism, nepotism, and other parochial tendencies are constantly drummed up to pressurize public officers to do the "needful" for their people. This is what disposes public officers to engage in corrupt acts as they subvert the rule of law and due process.

### **Methodology**

This is a qualitative study. Data collection was majorly through documentary method. Thus, the researcher retrieved documents relevant to the study from identified sources, read the contents thoroughly, reviewed and extracted the information needed. Essentially, this study made use of documents and archives such as textbooks, journals articles, internet, government gazettes, newspapers, and magazines which are deemed to contain relevant information relating to the Economic and

Financial Crimes Commission's struggles to persecute corrupt politicians in Nigeria under President Muhammadu Buhari's administration. Hence, content analysis and logical deduction were employed to analyze data.

### **The Concept of Corruption**

Uji (2015), argued that corruption is asking, giving or taking a free gift or favour in exchange for the performance of a legitimate task; the pervasion or obstruction of the performance of such a task or the performance of an illegal and illegitimate task hoarding, collusion, price fixing, election rigging, abuse and or misuse of office. Usman (2020) in a book entitled, "*Corruption and Public Administration in Nigeria*", reasoned that, "in order to achieve a clarity and precision in understanding of corruption in Nigeria, its conceptualizations are necessary". According to him, corruption is the abuse of public office or entrusted power for private gains. Corruption has further been looked at as dishonest conduct by those in power, typically involving bribery. Again, corruption has been seen as the process whereby an official will demand and receive bribe before performing any official task assigned to him (TI,2018). Obasanjo(2013) described corruption as the behavior of public officials which deviates from accepted norms in order to serve a private end. He stated that corruption is the abuse of power, most often for personal gain or for the benefit of a group to which one owes allegiance. Corruption according to him can be motivated by greed, the desire to retain or increase one's power, or perversely enough, by the desire to maintain a supposed greater good. Ogboru(2019), was of the view that corruption is the illegal profiteering, which means mismanagement of public funds by a public official from his or her position as a representative of government. He maintained that corruption wastes resources, distorts budgetary allocation, breeds inefficiency and unpredictability, slows and erodes development and lowers respect for constituted authority.

According to Onyiloha (2015), corruption as a complete, social, political and economic phenomena that affect all countries. It undermines democratic institutions, and slows economic development. It attacks the foundation of democratic institutions by distorting electoral processes, perverting the rule of law and creating bureaucratic quagmires whose only reason for existing is the soliciting of bribes. Economic development is stunted, because foreign direct investment is discouraged and small businesses with the country often find it impossible to overcome the "start-up costs" required because of corruption. The above description highlights major aspects of corruption and their negative impacts on the society. Corruption embraces a broad spectrum of activities ranging from fraud (theft through misrepresentation), embezzlement (misappropriation of corporate or public funds) to bribery (payments made in order to gain an advantage or avoid a disadvantages).

Dikwa(2016) argued that corruption is a systematic vice associated with an individual, society or a nation which reflects favoritism, nepotism, tribalism, sectionalism, undue enrichment, amassing of wealth, abuse of office, power, position and derivation of undue gains and benefits. Corruption also includes bribery, smuggling, fraud, illegal payments, money laundering, drug trafficking, falsification of documents and record, window dressing, false declaration, evasion, overpayment, underpayments, deceit, forgery, concealment, aiding and abetting of any kind to the detriment of another person, community, society or a nation.

### **The EFCC and the struggles to Persecute Corrupt Politicians in Nigeria under PMB's Administration,2015-2023:A Cursory Look**

The Punch (2015:p.3) gave a clear description on how President Buhari upon assumption of office in 2015 took a swift action to knowing how the money released to the office of the former National Security Adviser (NSA) to former President Goodluck Jonathan was spent. Evidence at his disposal

indicated that the money was diverted into private purses. President Buhari frowned at the frivolous manner with which the \$2.1 billion meant for arms purchase to intensify the war against the Boko Haram insurgents was diverted by few. To fulfill his anti-corruption campaigns promises, all accomplices to the crime were probed by the anti-graft agency, the Economic and Financial Crime Commission (EFCC).

Consequently, Col. Sambo Dasuki (rtd), was on December 1<sup>st</sup>, 2015, arrested and incarcerated without trial for over four (4) years before he was finally released following a court order in 2019 (vanguard,2019). On Friday December 13, 2020, the former governor of Abia State and a serving senator representing Abia North Senatorial Zone, Orji Uzor Kalu was jailed for ₦ 7.65 billion fraud case. According to online report ([www.efccnigeria.org](http://www.efccnigeria.org)), Kalu who was prosecuted on a 27 counts charges by the Economic and Financial Crime Commission (EFCC), was finally jailed by a Federal High Court sitting in Lagos and presided over by Justice Muhammad Idriss. He was sentenced to twelve (12) years imprisonment for ₦ 7.65 billion fraud. Also convicted and jailed, are two other accomplices; his firm, Slok Nigeria Limited, and Ude Udeogu, who was director of finance and accounts at the Abia state government house during his tenure as governor. The judge also ordered that Slok Nigeria Limited and its assets be forfeited to the federal government. Although Kalu has been released following a court order which exonerated him of all the allegations leveled against him, the President has shown capacity.

Similarly, the former Taraba State Governor, Rev. Jolly Nyame was on 7<sup>th</sup> February, 2020 jailed for 12 years by the Supreme Court. According to on-line report ([www.premiumtimesng.com](http://www.premiumtimesng.com)) visited on 7<sup>th</sup> February, 2020, the former governor was on November, 2018 ordered to pay a fine of four hundred and ninety five (495) million naira for the alleged misappropriation of funds while he was the governor of Taraba State from 1999-2007.

In the same vein, the former Head of Civil Service Commission, Winifred Oyo-Ita was on Monday 23<sup>rd</sup> of March, 2020 arraigned with eight other suspects for fraud bordering on ESTACODES, Conference Fees, and other allowances that has been paid by the federal government into their coffers. More so, on the 20<sup>th</sup> of May, 2020 the President terminated the appointment of Mr. Charles Uwakwe as the Registrar and Chief Executive of the National Examination Council (NECO). Accordingly, research shows that Uwakwe was sacked along with four members of the NECO management for various offences also bordering on financial impropriety. The affected officials include the Acting Director (Finance and Accounts), Bamidele Olure, Head of Procurement Division, Shina Adetona, Deputy Director, Tayo Odukoya, and Head of Legal/Board Matters, Babatunde Aina. The dismissal of the officials was announced by the NECO spokesperson, Azeez Sani. (Premium Times Newspapers, 20<sup>th</sup> May, 2020 P.2)

Similarly, President Buhari did not trivialize the charges brought against the former Chairman of the Special Investigation Panel for the Recovery of Public Property (SIRPP), Obolo-Obla, who was accused of administrative misconduct, as well as using forged ordinary level certificate (WAEC) to gain admission into University of Jos to study Law and many other corrupt practices allegation leveled against him which he was unable to defend himself. He was immediately relieved of his appointment by the President ([www.premiumtimesng.com](http://www.premiumtimesng.com)).

Vanguardngr, an online information platform reveals that President Buhari also mid-wifed the unconditional resignation of the former minister of finance in his cabinet, Kemi Adeosun, when she was accused of using forged NYSC Certificate without partaking in the compulsory one year National Service.

The judicial arm was not left out too as notable Supreme Court Judges like, Justice Sylvester Nwali Ngwuta, Justice Daramola Ademola and others have been investigated for corruption charges leveled against them by the anti-corruption agency (EFCC). Those found innocence were discharged and acquitted while those found culpable were summarily shown the way out. President Buhari also

exhibited rare courage in handling the case involving the former Chief Judge of Nigeria (CJN), Justice Walter Onnoghen, for failure to declare his assets immediately after taking oath of office as required by law, which is contrary to section 15(1) of the Code of Conduct Bureau and Tribunal Act. The then CJN admitted that he forgot to do so. As a result, Onnoghen was sacked by the Tribunal that convicted him of falsely declaring his assets. He was also banned from holding any public office for ten (10) years and ordered a forfeiture of any assets he could not account for to the state ([www.premiumtimesng.com](http://www.premiumtimesng.com)).

From the foregoing, Ekpo et al, (2016) argued that “the Economic and Financial Crime Commission (EFCC) which were lumbered to safeguard the public treasury has received a lot of criticisms from the people of Nigeria”. He maintains that “the agency have convexed to the whims and caprices of politicians, piloted towards promoting public looting in Nigeria’. It is pertinent to begin by stating clearly that President Buhari from the onset appears to possess the desire, inclination and political will to combat corruption to a standstill in Nigeria. However, observations have proved this earlier supposition otherwise. In fact, the release of the two former governors that were jailed for 10 and 12 years each for being guilty of financial mismanagement when they served their respective state as Governor between 1999-2007 shocked every average Nigerian.

The point is that President Muhammadu Buhari’s decision to continue with the EFCC, as his investigatory and fund recovery agency, in her obsolete, non-transparent and compromised structure has only enmeshed more woes on his anti-corruption policy implementation in Nigeria, because the structure of the EFCC is so vague and ill–designed such that there are little or no accountability. But, this is the agency which President Muhammadu Buhari has depended so much on in combating corruption to a stand-still in a country that has lived with the phenomenon of corruption for decades. This could be the reason many Nigerians perceive the anti-corruption policy to be targeted at the members of the former ruling People’s Democratic Party (PDP). Hence, prosecution of politicians who are members of the APC often ends in bail application.

Consequently, the anti-corruption war of President Buhari would be an illusion if steps are not taken urgently to restructure holistically, not only the EFCC but other existing anti-graft policy implementation agencies in the country to enforce transparency, accountability and probity.

The truth of the matter is that corruption in the anti-corruption policy implementation body has stalled the adequate prosecution of corrupt officials over the years, especially the political class. The EFCC have been facing various challenges that centered on lack of independence, poor legislation, and politicization (Human Rights Watch, 2011). Therefore, the Nigerian anti-corruption crusades are regarded as a feeble illusion in persecuting corrupt politicians and public officials because of compromised sincerity of the officials of the Economic and Financial Crimes Commission (BBC, 2011).

The compromised sincerity of this anti-graft officials has to a large extent exacerbated the phenomenon of corruption in both public and private sectors of the society. Instances abound, the case of the former EFCC Chairmen, Ibrahim Magu, and his predecessor, Ibrahim Lamorde are still fresh in memory. The Nigeria government has committed itself in curbing corruption in the country, especially with the way and manner the anti-corruption war of President Muhammadu Buhari is being handled. Nevertheless, the responsible institutions are yet to deliver on this mandate. Experts says that it is noteworthy that cases of corruption and money laundering are not punished before now in Nigeria, as most high profile corruption cases remained inconclusive. However, the President Buhari’s administration nearly succeeded in changing this age-long narrative following his ability to sack some of his principal officials accused of corrupt practices. But none of those that were sacked by the President Buhari’s administration for corruption charges has been prosecuted few weeks to the end of his administration (Human Rights Watch, 2012). Recall that, between 2003 and 2011 the economic and financial crimes commission (EFCC) claimed to have prosecuted 35 high level political figures for corruption. But

executive interference, a weak, complacent and overburdened anti-graft commission's lack of resources and capacity led to a very small number of convictions (Human Rights Watch,2012).

### **Efforts by the Economic and Financial Crime Commission(EFCC) in recovering looted funds and property in Nigeria.**

According to Idris (2021) the EFCC is the commission that PMB's administration from 2015 to 2023 depended so much on in recovering looted fund in Nigeria. The commission under PMB's administration has been able to recover moneys from some alleged corrupt officials. Idriss maintained that, "in 2017 and 2018 the commission has achieved tremendous successes. For instance, in January 2017 the EFCC directed two directors of Ontario Oil and Gas Limited to make restitution of seven hundred and fifty four (754) million naira (US\$ 2,464,952), and they were also sentenced to 9 years imprisonment by Justice Latifat Okunnu of Lagos State High Court. In February 2017, the Commission recovered N3.04 billion naira (US\$9,803,921) from Andrew Yakubu, former Group Managing Director of Nigerian National Petroleum Corporation (NNPC), Later in March 2021, The High Court in Lagos State convicted Jubril Rowaye and his firm Brila Energy Limited over subsidy scam of 963.7 Million Naira (US\$ 3, 147, 058) and sentenced same to ten (10) years imprisonment. He also went further to state that the Federal Government of Nigeria from 2015 to 2019 has discovered about sixty thousand (60,000) ghost workers on its payroll after the implementation of the Integrated Personnel and Payroll Information System (IPPIS). This discovery led the government to save about N170 billion (approx. US\$ 9 billion)".

President Muhammadu Buhari has taken a drastic measure towards anti-corruption war in the country. This could be seen from various high profile cases witnessed from 2015-2023. Edeh (2022), reasoned that "one of the celebrated cases under PMB using the EFCC was the arrest and prosecution of some high profile individuals such as former governors of Plateau and Taraba States (Joshua Dariye and Jolly Nyame)". Others include Orji Uzor Kalu (Abia State) and Jonah Jang (Plateau State) even though they have been released following a presidential pardon few months to the 2023 general elections. This action, has again truncated the essence of his administration's anti-corruption policies.

On the other hand, Premium Times newspaper of 2<sup>nd</sup> April, 2021 in page 3, reported that, the EFCC had already seized land and real Estate worth 44 million US dollars from the former Petroleum minister allegedly bought with the proceeds of corruption. For example, On November 26, 2021, a Lagos Division of the Appeal Court affirmed the final forfeiture of Diezani's US \$40 million jewelry seized from the former minister's premises at No. 10 Fredrick Chiluba Close, Asokoro, Abuja. Others whose properties were seized by the anti-graft agency were Haruna Momoh, former managing director of PPMC, a subsidiary of the Nigerian National Petroleum Corporation (NNPC); Ibrahim Shema, (former Governor of Kastina State), Patience Jonathan, former Nigerian First lady, Ayodele Fayose, Former Governor of Ekiti State etc.

Olafusi (2018), stated that the Commission under President Buhari's regime had continued to arrest corrupt politicians and freeze whatever properties which are believed to have been acquired through fraudulent means. To Meyaki (2019), the EFCC has equally gone into automatic mode to dismantle criminal enterprise of computer and cyber fraudsters. He revealed that a coordinated operation of the Commission with the FBI tagged "Rewired" resulted in the arrest of 167 suspected cybercriminals and recovery of US \$ 169,850 and N 92 million including exotic cars, plots of Land in choice areas of Lagos and property in Abuja within three weeks of operations in 2021.

The Buhari's regime 2015-2023 has also received praises in the war against corruption in Nigeria following his bold stance and political will in his anti-corruption policy implementation which led to the



probes, trials, and apparent prosecution of some highly placed individuals who were caught in the act of corruption by the anti-graft policy implementation agency without recourse to the person's social status or political office occupied by such a person. Instances abound, Punch Newspaper(2020:p.3) gave a clear description on how President Buhari upon assumption of office in 2015 took a swift action to knowing how the money released to the office of the former National Security Adviser (NSA) to former President Goodluck Jonathan was spent. Evidence at his disposal indicated that the money was diverted into private purses. President Buhari frowned at the frivolous manner with which the \$2.1 billion meant for arms purchase to intensify the war against the Boko Haram insurgents was diverted by few. In order to keep his promise, all accomplices to the crime were probed by the anti-graft agency, the Economic and Financial Crime Commission (EFCC). Consequently, Col. Sambo Dasuki (rtd), was on December 1<sup>st</sup>, 2015, arrested and incarcerated without trial for over four (4) years before he was finally released following a court order in 2019 (vanguard,2017) .

The next to receive Buhari's anti-corruption 'sledge hammer' was the former Director General, National Intelligence Agency (NIA), Ayodele Oke, for his inability to explain why the sum of \$43.4, £27.800 and ₦23.2 M was found in his Osborne Tower Apartment in Ikoyi, Lagos State. He was immediately sacked by the President (Buhari). Another person was the former Secretary to the Government of the Federation, Babachir David Lawal, whom President Buhari sacked following his involvement in the Internally Displaced Person's Camp 'Grass -Cutting' shoddy deals. Similarly, President Buhari did not trivialize the charges brought against the former Chairman of the Special Investigation Panel for the Recovery of Public Property (SIRPP), Obolo-Obla, who was accused of administrative misconduct, as well as using forged ordinary level certificate (WAEC) to gain admission into University of Jos to study Law and many other corrupt practices allegation leveled against him which he was unable to defend himself. He was immediately relieved of his appointment by the President ([www.premiumtimesng.com](http://www.premiumtimesng.com)).

Vanguardngr, an online information platform reveals that President Buhari also mid-wifed the unconditional resignation of the former minister of finance in his cabinet, Kemi Adeosun, when she was accused of using forged NYSC Certificate without partaking in the compulsory one year National Service. Similarly, President Buhari suspended the inauguration of Niger Delta Development Commission (NDDC) board, slated to hold on Tuesday 14<sup>th</sup> January,2020 due to certificate saga involving the NDDC's boss Mr. Igwe.

Due to the persistent nature of corruption in Nigeria among public and private individuals, President Buhari also launched a renewed campaign against corrupt practices in the country with the inauguration of a presidential committee on anti-corruption, to synergize efforts with the anti-corruption agency (EFCC), thinking that this idea would help to restore the country to the part of sanity. Regrettably, even with all these measures, corruption still widespread in the country, because according to Smith (2010), "the Nigeria's social construction and political architecture accommodate corruption due to institute Clientelistic and patron-relations, embedded in ethnic schism; implying diversion of public funds by the patrons for redistribution among clients. In this context, informal institutional network serves as a riding board for corrupt practices". This according to transparency international, consequently leads to neo-patrimonial state in the country (Transparency International,2014). As a result of endemic corruption in Nigeria, the country was highly rated as one of the most corrupt in the world in 2012 (TI, 2014). Thus, Nigeria's bad reputation at the global level necessitated the creation of anti-corruption agency (EFCC) by Obasanjo in the year 2000 as an enacted law codified to investigate and prosecute alleged corrupt persons in the country (Economic Commission for Africa,2010). However, Edeh (2022), regretted that, " despite the amount of successes the EFCC claimed to have recorded within the period understudy, corruption still widespread due to the character of the Nigerian state, compromised sincerity among those mandated with the responsibility of fighting the scourge". Therefore, more still need to be done by the President if he must continue with this commission in its fight against corruption in Nigeria.



**Table1: Corruption Index of Nigeria from 2015-2020**

Year	Rank	Score
2015	136	16826/100
2016	136	17628/100
2017	148	18027/100
2018	144	18032/100
2019	144	18027/100
2020	146	18026/100

Source: Transparency International Corruption Perception Index (TI), 2015-2020

### **Data of inauguration and terms of reference of the presidential advisory committee on anti-corruption**

1. The Establishment of Presidential Advisory Committee Against Corruption;

The Presidential Advisory Committee Against Corruption (PACAC) was established in August 2015, with the mandate to promote the reform agenda of the government on the anti-corruption effort, and to advise the present administration in the prosecution of the war against corruption and the implementation of required reforms in Nigeria's criminal justice system.

Highlights of major achievements of PACAC;

- PACAC initiated the whistle blower policy of the Federal Government.
- It has empowered Judges and Prosecutors to operate effectively in carrying out their responsibilities through Workshops on the new Administration of Criminal Justice Act, 2015.
- It helped anti-corruption agencies devise clearer strategies for obtaining forfeiture of assets suspected to have been acquired fraudulently, mainly from State Coffers, before prosecuting suspected culprits. Part of this work has involved painstakingly reviewing existing Laws (like the Money Laundering Act, 2004, the EFCC Act, 2004 and the ICPC Act, 2000), to identify and highlight sections directly conferring powers of forfeiture on Nigeria's anticorruption agencies. This advocacy has led to a significant increase in the use of Non-Conviction Based Asset Forfeiture Mechanisms by anti-corruption agencies;
- It Produced manuals, protocols and Standard Operating Procedures to assist ACAs in their work. These include the Corruption Case Management Manual; the Plea Bargaining Manual; Sentencing Guidelines in High Profile Cases; the Framework for the Management of Recovered Stolen Assets, Asset Recovery Strategy Document, Corruption Case Management Manual; Framework for the Management of Recovered Stolen Assets; etc.

### **Conclusion**

From the foregoing, it is evident that the Economic and Financial Crimes Commission (EFCC) made veritable efforts in ensuring that the war against corruption in Nigeria under President Muhammadu Buhari's administration succeeds. However, despite these significant efforts, corruption in Nigeria has remained intractably widespread due to the character of the Nigerian state which is tantamount to compromised sincerity of those mandated to implement the anti-corruption policy. This position is hinged on the fact that there is overbearing influence from the political class in the prosecution of the war against corruption by the anti-graft agency (EFCC) considering the immunity granted the most part of the public /political office holders till the expiration of their tenure of offices. The political class have continued to manipulate the anti-graft body in their favour. This oftentimes makes the prosecution of corrupt politician(s) ending with bail applications. Therefore, more need to be done if the war against corruption would be won.

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