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**Political Interference and Effectiveness of the Economic and Financial Crimes
Commission, 2010-2020**

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Abstract

The establishment of the Economic and Financial Crimes Commission in 2002 was generally seen as a major step to eradicating corruption and other related illicit practices in Nigeria's political space. The EFCC act of 2004 enhanced its existence and served as a legal framework that ensured full operation of the agency in Nigeria. Since its establishment, the EFCC has struggled to battle financial crimes and to a considerable extent has recorded some remarkable achievements in Nigeria. In spite of this effort, corruption has become very monstrous and obviously permeated into the very fabrics of Nigeria's socio-economic and political life. The aim of this study is to determine the extent the Economic and Financial Crimes Commission has reduced if not completely eradicated political corruption in Nigeria between 2010 and 2020. The study also examined the operations of the EFCC, political interference on the EFCC operation and whether its activities have reduced the mismanagement of public funds by public office holders in Nigeria between 2010 and 2020. The study relied on documentary method of data collection and used content analysis and logical deductions to arrive at the conclusion of the study. We adopted structural functional theory as our theoretical framework of analysis. It argued that against the assumptions that the EFCC can stamp out political corruption in Nigeria, political corruption has assumed a worrisome dimension and has even permeated the EFCC, which is saddled with the mandate of eradicating political corruption. The study concluded that the inability of EFCC to end the increasing manifestation of political corruption over a decade of its operation can be inextricably linked to the nature and character of the Nigerian State, and more so with the question of leadership. The study, therefore, recommended radical reforms that would make EFCC more effective in tackling the menace of political corruption in Nigeria.

Keywords: EFCC, Financial crimes, Mismanagement, Political Corruption, Political Interference

Introduction

Nigeria's return to civilian rule in 1999 was remarkable. First, it offered Nigerians the opportunity to relaunch the nation from the status of political cum international obscurity and isolationism to

global acceptability. In this regard, establishment, development, transparent engagement of state institutions and reforming the existing democratic institutions was prioritized. This development and reform is central to empowering state institutions and refocusing them from being a militarized state to imbibe a more people oriented values for better performance in addressing issues relating to political corruption. It was believed that the establishment and proper management of institutions designed to tackle all forms of corrupt practices would enhance the capacity of the Nigerian state towards addressing the ravaging menace of political corruption.

Following from the above, former president Obasanjo's administration established the Economic and Financial Crimes Commission (EFCC) in 2002. The EFCC's responsibilities include the investigation, coordination and enforcement of all financial crimes including advance fee fraud, money laundering, contract scam etc and the adoption of measures to identify, trace, freeze, confiscate or seize proceeds derived from terrorists activities, economic and financial crimes related offences or the properties the value of which corresponds to such proceeds (Ewa, Adesola & Kankpang, 2019). In line with its mandate, the EFCC has tried to secure thousands of convictions, seized and confiscated hundreds of properties that are fraudulently acquired. For instance, Soni (2020) explained that the EFCC secured eight hundred and sixty five (865) convictions from a total of 1,305 cases in 2020 while 7,340 cases were under investigation out of the 10,152 petitions received within the period.

In spite of the aforementioned efforts by the EFCC, incidences of political corruption have persisted. Human Right Watch (2010) explained that Nigeria lost \$4 billion - \$8 billion due to political corruption each year from 1999-2007 (cited in Soni, 2020). Also, recent report by Pricewaterhouse Coopers (PwC, 2017) estimates that corruption could cost the Nigerian economy 37% of its gross domestic product (GDP) by 2030. Evidently, from the myriads of challenges confronting the Economic and Financial Crimes Commission on ending the menace of political corruption in Nigeria, two major arguments appear discernable. First, are group of scholars who have interrogated the dangers associated with the fusion of the powers of the EFCC with other anti-graft agencies and the limit of the EFCC's independence (Oloja & Martin 2004; Aiyede, 2006; Ikpeze, 2013; Onuigbo & Eme, 2015).

Over the years, the EFCC's fight against political corruption and attempts at recovery looted funds is hampered by numerous impediments. Enweremadu (2013) argued that lack of transparency, inadequate legal and accounting skills, the uncooperative attitude of accused persons, and, more importantly, limited external support are part of the constrains to Nigeria's quest to recover looted assets. Also important in this regard is the application of plea bargaining. This enables the accused to plead guilty to a lesser offence or to be given some concessions by the prosecutor. The accused is therefore given a more lenient sentence. Incidentally, the EFCC Act (2004) tends to have introduced plea bargaining into Nigerian justice system.

Section 14(2) of the Economic and Financial Crimes Commission (2004) provides that *"subject to the provisions of section 174 of the Constitution of the Federal Republic of Nigeria, 1999 (which relates to the power of the Attorney-General to institute, continue, takeover or discontinue any criminal proceedings against any person in any court of law), the Commission may compound any offence punishable under this Act by accepting such*

sums of money as it thinks fit, exceeding the amount to which that person would have been liable if he had been convicted of that offence.

It is therefore obvious that other issues hindering the efficiency of EFCC are the systemic disorder that has characterized the Nigerian political system, issues of judiciary delay of cases, lack of societal cooperation, and plea-bargaining. However, while the above extant efforts provide valuable insights into the myriads of challenges confronting the EFCC in the discharge of her responsibilities, the link between the Economic and Financial Crimes Commission and the fight against political corruption in Nigeria has not been given adequate systematic treatment. This study therefore examined how political interference hindered the effectiveness of the Economic and Financial Crimes Commission between 2002 and 2020.

Theoretical Framework of Analysis

The theory of extractive corruption unveiled the state-society relationship. It explains that the dominant force in every society is the elites who use state apparatuses to perpetuate their stay and hold on to the state power. It therefore emphasises the authoritarian character and neo-patrimonial tendencies of the state. Extractive theory of corruption explains that the over concentration of powers of government in the hands of few elites, empowers the elite to abuse such powers and rely on it to divert commonwealth for personal use. That is, the more political power is concentrated exclusively in the hands of a few individuals, the greater the temptation for power abuse, selfish wealth-seeking and primitive extraction (Amundsen, 1999).

In his view, the theory of extractive corruption is based on the mainstream political science notion of authoritarianism, namely a rule basically in the interest of the rulers that is ultimately based on force. He further noted that authoritarian rulers are using the power capabilities of the state in the struggle for power, to attain, retain and increase their powers, and to accumulate resources from the nation and from the ruled, for private benefit.

The two broad areas that allow the establishment and continuous expansion of the programme of extractive theory of corruption are the adoption or use of authoritarian regime or the neo-patrimonialism. Within the context of authoritarian regimes, the elites may establish a form of government with sophisticated institutional arrangement amenable to corrupt practices. This could be in form of faulty decentralized system like the presidential system or a highly centralized form of government like single party or unitary system of government. On the other hand, neo-patrimonial system resorts to patronage system for the purposes of extracting benefits.

In fact, what makes the neo-patrimonial system different from the patrimonial ones, is that the neo-patrimonial regime maintains a façade of modernity, legality, rationality, and professional bureaucratic structures (Amundsen 1999). This system is mostly found in Africa and also the Latin America. In the areas where neo-patrimonialism is dominant, there is the tendency of the elites or the ruler to hold on to his/her public office through the unchecked patronage system.

The theory is fundamental in the understanding of the persistence and pervasiveness of corruption as it emphasized elitist drive to hold on to power with sole intention to derived personal benefits from the largesse for public good. However, the theory fails to acknowledge the fact that in every society there is always few delegated members of the society empowered by the people to take decisions on behalf of others. This is important since every member of a political community

cannot be directly involved in the running of the day-to-day activities of the government. This theory does not appreciate the relevance and the critical role played by the state specialized agencies and institutions in prevention and reduction if not completely elimination of corruption in the society. In spite the fact that such delegated responsibilities may lead to the over concentration of powers of government in the hands of few elites, existence of legal frameworks puts the activities of those in leadership in check. Strong institutions and laws prevent the elites from abusing state powers and also make it difficult to divert commonwealth for personal use. In this regard, the effectiveness of the legal system in the society and judicial process help to address corrupt practices and other related offences. According to the Organization for Economic Cooperation and Development (OECD) (2016) weaknesses in the anti-corruption legal and judicial system may undermine host governments' capacity to effectively detect, prevent and sanction corruption. Within this context, the theory fails to explain why developed countries with few elites in power do not witness the level of corruption comparatively to the underdeveloped nations.

Literature Review

Political Interference and effectiveness of the EFCC

One of the major challenges confronting many developing countries is the inability to separate the public realm with the private realm. In many circumstances, leaders and public office holders managed and influenced public institutions and treat them as their privately owned institutions. Thus, bureaucratic rules are abused, neglected and disregarded in the management of public affairs. In fact, there is a tendency in many African countries where the public becomes a platform for perpetuation of authoritarian rule. Politicians use all gimmicks and pranks to maintain their stay in power and try to extend their domain in every other section of the public life. Among various leadership challenges facing low developing democratic countries especial African countries is the political interference in administrations (Wangwe, 2012).

More specifically, political interference occurs when political leader(s) interfere with decision making in public administrative matters such as planning, organizing, staffing, directing, coordinating, reporting, and budgeting as well as allocation and use of public funds (Mfuru, Sarwatt & Kanire, 2018). It is a condition whereby politicians or political leaders overtly or covertly changes, intervene or direct and prevent institutions of the state from performing their legitimate responsibilities without recourse to lay down rules. It is a deliberate act aimed at gaining favour, set aside the rules against one or groups in his or her favour in the discharge of public duties. In this regard, Salawu & Agbeja (2007) argued that political interference negatively impacted internal controls, accountability and audit procedures.

Indeed, political interference happens often and is highly disruptive and destructive. Incidentally, it promotes the situation where powerful high-level suspects are often untouchable and is being shielded by the state leaders against the wishes of state institutions and the people, however, they can suddenly become vulnerable when political power invariably shifts to the opposite. Page (2021) posited that such strategic patience leads to more successful prosecutorial outcomes. Unfortunately, it can also be stated that such trend is not healthy to ending corruption as it sends wrong signal to the public. It makes the people to doubt the credibility of those leading the anti-corruption war and perceived those in power as accomplish and major drivers of corruption.

There is no doubt that Nigeria's anti-corruption agencies' and indeed the EFCC is apparently vulnerable to political interference. However, it has demonstrated some degree of resilience to

outside pressure, depending on the integrity and influence of their chairpersons and board members. But the obvious fact is that, if these individuals become conduits for political pressure, the possibility of the staff of the agency to resist such influences may not be visible. As the best resourced and most empowered, the EFCC has arguably demonstrated the greatest capacity to investigate and prosecute senior officials irrespective of political considerations.

In other words, Page (2021) explained that the EFCC arguably has innovated in order to overcome a significant obstacle by targeting high-profile suspects when they are most vulnerable rather than when they are politically untouchable. For him, given the dynamic nature of Nigerian elite politics, the agency must continuously adapt as its targets climb or suddenly descend the country's political ladder. One risk associated with this strategy is that there is no formal mechanism or process for ensuring that prosecutions deferred for political reasons are actually initiated at a later date (Page, 2021).

Evidently, the EFCC is saddled with a lot of difficult task; in spite of this lofty mandate the agency is a subject of perennial political interference that has implications on the effectiveness of the EFCC. Since its inception in 2002, there are divergent views on the effectiveness of the EFCC from one administration to another. The administration of the former President Obasanjo under which the EFCC was established and achieved a lot of successes, yet the administration was accused of undue influences on EFCC and using the EFCC to wish-hunt political opponents. Agbaje (2011) posited that in spite of the achievement of Ribadu who was the former EFCC's boss under former President Obasanjo administration, his achievements were impaired by the undue interference from his principal. Beyond this, he further noted that there are evidences that the EFCC was constantly under pressure from formidable political interests which cut across political lines from both the executive and legislative arms of government, especially at the National Assembly and the Governor's forum most importantly where one of their own is involved.

In this regard, Ethelbert (2016, p.346) further noted that:

A good example is the outright condemnation by Olusegun Obasanjo of the report of the investigation of corruption against Chief Olabode George, the Chairman of the Nigerian Ports Authority (NPA) which indicted him (George) and other management members of the NPA over violations of government rules and regulations with regards to award of contracts and as such should be sanctioned for contract splitting and inflation of the prices of contracts, even though (him) chief Bode George was later arrested in August 2008 and arraigned on a 163 count-charge which include conspiracy, disobedience to lawful order, abuse of office and illegal award of contracts to the tune of 84 billion with regards to the aforementioned report which the former president Obasanjo had earlier rejected.

Thus, under the administration of Late President Musa YarAdua and former President Goodluck Jonathan, there were also incidences of political interference that constrained the EFCC from performing effectively their constitutional responsibilities. For instance, the former Governor James Ibori of Delta State was one of the untouchable politically corrupt gladiators under the rulership of former President Obasanjo and Late President Yar Adua. In his view, Adeniyi (2011) pointed out that "the removal of Malam Nuhu Ribadu as chairman of EFCC by President Yar' Adua was due to Ibori's corruption scandal which manifested the political interference of the political elites against combating corruption.

On the other hand, Page (2021) argued that political interference lessened but remained a significant challenge during the Jonathan presidency (2010-2015). According to him, the greatest challenge of EFCC under former President Jonathan occurred in March 2013, when Jonathan nullified one of the EFCC's highest profile prosecutorial successes, albeit constitutionally, by pardoning former Bayelsa State governor Diepreye Alamieyesiegha. Former President Jonathan's decision took the EFCC by surprise, embarrassed and demoralized the agency and drew rebukes from the U.S. and UK governments. Page (2021) further explained that Ribadu called it the "final nail" in the coffin in the fight against corruption under Jonathan. Though direct interference is unmistakable, high-level political pressure is often subtly conveyed; top anti-corruption officials carefully observe the 'body language' of the President and Attorney General as it relates to politically sensitive high-level cases they are pursuing (Page, 2021).

In spite of the above, it can be stated that recently, the prosecution of highly placed individuals for corruption cases in Nigeria has progressed so hugely, yet there are still many challenges confronting the activities of EFCC. Obviously, there is still need for legislative reforms as well as innovations to overcome challenges constraining forfeiture of properties fraudulently acquired and providing alternatives to plea bargains when used ridiculously to evade justice. Furthermore, cooperation among anti-corruption agencies, law enforcement agencies tends to have substantially improved but remains inadequate for the entire process of fighting anti-corruption. Prosecutors and investigators do not always work together effectively, especially during the early stages of a case when close cooperation can help ensure that prosecutions do not flail or founder in court, as happened in the three high-level corruption prosecutions examined in this report.

Under the leadership of the immediate past EFCC boss (Ibrahim Magu) two former governors, the former governor of Plateau State and the former governor of Adamawa State were jailed. Yet, the EFCC was furious on the extent of political interference from the office of the Attorney General and Minister of Justice. Incidentally, such frosty relations led to an abruptly termination of his headship of EFCC with allegations of unethical practices and corruption charges while in office. The Magu's case goes a long way to unravel the state of decay and challenges facing EFCC as an institution shouldering bigger responsibility of nipping in the bud political corruption in a country.

Seen in this light, the index for measuring the effectiveness of the EFCC cannot be in terms of its capacity to completely eradicate corruption as this may be practically impossible to do given the realities of political corruption in Nigeria. It is our submission that more realistic measures should focus on how well the EFCC has drastically reduced corruption or political corruption in Nigeria since its establishment. Secondly and perhaps more importantly is determining whether its existence and efforts so far has any significant relationship to the level or the degree of manifestation of political corruption in Nigeria. It therefore means that the more apt way to measure EFCC effectiveness should be determining the extent of reduction of political corruption since the inception of the agency.

Also, making the EFCC effective cannot be completely possible without the cooperation of other critical agencies. In this regard, the judiciary is critical. The prevailing lack of judicial integrity and independence also impede the effectiveness of the EFCC. The EFCC tends to suffer much in the hands of corrupt judicial personnel in Nigeria. Also, situations where many judges lack familiarity or grasp knowledge of money laundering issues is a greater challenge to complex issues that arise during corruption trials. It makes some judges to be undecided, skeptical or even hostile

toward anti-corruption prosecutions. The state has a lot to do to ensure that the EFCC's effectiveness and greater management of corruption issues is taken to an enviable height.

The State and Political Interference on EFCC Activities

There seems to be vast definitional positions and divergent conclusions by many scholars specifically on the notion of state. While some studies (Farooq, 2012; Nnorom, Odigbo & Nebeife 2018) have anchored their conceptual perspectives on the generally known characteristics of the state such as; organized body of people, definite territory, sovereignty, government and sometimes recognition, some other studies argued that the role of the state in a particular political space is critical to what the state is or represents. In whichever way, developed states endeavour to allow institutions to operate independently within its constitutional mandate. In this regard, the institutions of the State can be insulated from the vagaries of state influences in a democratically developed political system.

However, we present the State in this study as the machinery or fundamental bureau that manages the affairs of the people. According to Nnorom, Odigbo & Nebeife (2018) it means the agency that superintends the law making process, the enforcement and implementation of the law to ensure peace, stability, growth and prosperity and indeed provides greatest happiness to the greatest number of people. For Farooq (2012) a state is a country considered as an organized political community by one government. It is within the above positions and context that we measure state's perceived role in the entire functioning of the EFCC's activities. Indeed, the EFCC is the creation of government who performs its duties on behalf of the state. The fight against corruption by the EFCC is to ensure accountability and sanity in the state.

In a more critical look on EFCC structural sense, the agency is profoundly vulnerable to the whims and caprices of the presidency hence it does not function as an institution rather almost as an appendage of the Chief executive. In the first instance, the commission's chairman enjoys no security of tenure and can be removed by the president at will, without any form of consultation or approval from the National Assembly. This notwithstanding the fact that the political pressures brought to bear on the EFCC have at times been overwhelming and enormous. At its inception, allegations of political selectivity tarnished the EFCC's reputation when President Obasanjo was in power, and how Ribadu's attempt to prosecute James Ibori led to his removal from the commission are all indications that EFCC's activities are heavily interfered with by the executive. After Ribadu's ouster, the attorney general at the time, Michael Aondoakaa reportedly Ibori's close associate seemed bent on undermining the very notion of a government-led war on corruption.

Obviously, during his time in office, the former attorney general of the federation, Michael Aondoakaa worked openly to undermine the independence of the EFCC and to derail domestic and international efforts to bring Ibori to justice. His strong-arm tactics earned him considerable notoriety. According to Ribadu, Aondoakaa "interfered" in many of the EFCC prosecutions and "destroyed cases relating to corrupt State Governors by discontinuing hearings and trials (cited in Human Right Watch, 2011). According to leaked US State Department cables published by WikiLeaks in 2011, in 2008 Waziri told the US ambassador in Abuja that Aondoakaa had taken complete control over the EFCC's case against Ibori along with other "politically sensitive" cases something the attorney general technically had no clear power to do without formally removing the cases from the EFCC's purview (cited in Human Right Watch, 2011).

As can be seen, Micheal Aondoakaa was also alleged to have interfered in several high profile corruption cases during his time as attorney general and more specifically in the money laundering case against Ibori and his associates in the United Kingdom.

The Human Right Watch, (2011, p. 14) stated that:

After an English court froze \$35 million of Ibori's assets in August 2007, Aondoakaa provided Ibori's lawyer with a letter stating that Ibori had been "investigated" in Nigeria and no charges had been filed, despite the fact that the EFCC was still investigating the case and finalizing criminal charges. The letter led the English court to lift the freeze on Ibori's assets. According to leaked US State Department cables, Aondoakaa also refused to negotiate a broad prisoner transfer agreement with British authorities unless the UK dropped efforts to prosecute Ibori for money laundering. According to the US embassy cables, Aondoakaa was "reputed to have done some of Yar'Adua's dirty work, including attempts to disgrace former (EFCC) Chairman Mallam Nuhu Ribadu." Another leaked cable noted that while the Nigerian public and press had placed the blame for the EFCC's perceived ineffectiveness solely on Waziri, "we believe ... that Attorney General Michael Aondoakaa is the larger culprit on top of his everyday thuggery and illicit enrichment."

Implicitly, it therefore means that arresting government officials or high profile politicians would be sanctioned by the state or rather government for the EFCC to be allowed to do their job. The EFCC in many occasions was compelled to willingly or forcefully accept the directives of the attorney general of the federation or any order from the presidency. It has remained a stumbling block in the war against corruption. This is important especially when put into cognizance the fact that the attorney general has the power to take over or discontinue any prosecution from another federal agency if he believes it to be in the interest of justice. In this case, the attorney general's failure to provide any rationale for the move sparked widespread concern that his real aim was simply to quash the case (cited in Human Right Watch, 2011).

No doubts that under president Buhari's regime, the EFCC activities were repeatedly interfered with by the executive. Suberu (2018) argued that under Buhari, the EFCC has remained politically dependent, often unprofessional, and beholden to the presidency, having lost most of its well-trained investigators and prosecutors when its activist founding head, Nuhu Ribadu, was summarily removed by the executive in 2007. Accordingly, the immediate past EFCC boss, Ibrahim Magu, served in a legally uncertain acting capacity: the Senate failed to confirm his appointment on account of apparent politically motivated allegations by Nigeria's Department of State Services questioning Magu's integrity; and Buhari has been unwilling to replace him with a less politically controversial person until recent squabbles.

Thus, Suberu (2018) further noted that the entire agency itself currently employs fewer than three thousand people, but receives more than one hundred petitions daily, leaving investigators and prosecutors overstretched. Moreover, the EFCC was overwhelmed by recurrent conflicts with the Office of the Minister of Justice and Attorney General. Before his removal as the EFCC chairman

Ibrahim Magu severally accused the Attorney General of the federation Abubakar Malami of interfering with EFCC's investigations and cases in the court. According to Ibekwe (2020) in several cases under investigation, recovery and management of assets, the office of the AGF has either interfered with the process or has been less cooperative and supportive. He further noted that the laidback approach of the office of the AGF in particular in cases of extradition has not been helpful. Ibrahim Magu also accused the Attorney-General of the Federation, Abubakar Malami, of frustrating efforts made by the anti-graft commission to transparently dispose vessels forfeited to the Nigerian government (Ibekwe, 2020).

Indeed, there are seemingly constitutional challenges that constrained the EFCC from operating independently and the office of the AGF appears to be exploiting this gap. There is a fundamental tension between the broad investigative, prosecutorial, and preventive functions of Nigeria's anticorruption agencies, especially the EFCC and the constitutional authority of the justice minister/attorney general, who has the legislative authority to take over, continue, or discontinue any criminal prosecution (Suberu, 2018). The EFCC's political vulnerability and weak professionalism were thrown into sharp relief in July 2017, when the global Egmont Group of 156 Financial Intelligence Units (FIUS) voted to suspend, "by consensus," membership of the EFCC's Nigeria Financial Intelligence Unit (FIUS) "following repeated failures on the part of the FIUS to address concerns regarding the protection of confidential information and the legal basis and clarity of the NFIU's independence (Suberu, 2018).

In all, the developing status of the Nigerian state, the character of the state and constitutional gaps evident in the EFCC framework, have continued to undermine the activities as well as independence of the Economic and Financial Crimes Commission. It therefore disposed the agency and the managers of the institution to the whims of the executive and other powerful political gladiators. The commission seemed to be influenced by politics and high authority and could not discharge its duties without interferences. This was due to the fact that the commission was subordinated to the Presidency. The tendency for the EFCC's powers to be used as tools of victimization, persecution and prosecution of perceived enemies of whichever administration in power is fervently manifested. The implication is that the major objective of establishing the agency may not be achieved since its activities are interfered with and sometimes politically controlled.

Nigeria's Political Environment and Operational Activities of the EFCC

Nigeria's political environment is seen in this study as the entire atmosphere that bears the burden of immediate responses arising from corruption and the institutional expedition to address corruption related offences. Thus, political environment appears unchanged physically as it were prior to the establishment of the EFCC, but its responses to issues since its emergence tends to change significantly. This may be attributed to the fact that the environment may have been polluted with several resentments, wrong impressions, feelings of joy and even hatred. Indeed, the combination of the above traits determined stability and serenity of the environment for a long period of time. For instance, a botched corruption plans or act may increase gang's or cartel's frustration and aggressive tendencies. But it may also enhance relevance of the anti-graft agency and massages government ego, commitment to tackling corruption.

Indeed, over the years, Nigeria has attained an unenviable reputation of being one of the most corrupt countries in the world. It can be stated that both socio-economic and political environment is riddled with increasing threat of corruption. In essence, corruption is considered as the main obstacle negating development and good governance in Nigeria. Idris (2011) rightly noted that it has been considered to be the most devastating factor negating Nigeria's socio-economic and political development. Additionally, Enweremadu (2012) argued that widespread corruption in Nigeria has nurtured poverty and low human development indices. In fact, the recurring threats to national security, peace and stability of the Nigerian political space cannot be unconnected to the menace of corruption.

Most unfortunately, public office holders are major drivers and are mainly implicated in majority of the corruption scandals in Nigeria. State institutions have different means of accommodating corruption, proceeds and personnel alleged to have indulged in corrupt activities. It has become so "culturized" that even the anti-graft agencies are sometimes accused of mismanaging recovered looted funds. For instance, there were accusations and counter accusations on how immediate past EFCC chairman (Ibrahim Magu) mismanaged or rather deposited less than what was recovered as looted funds. This shows the level of decadence in the EFCC. The agency that carries the burden of saving the nation from corruption was implicated in the unholy act.

The above issues are essential as they illuminate and capture the culture, socio-economic and political environment where EFCC operates. Thus, understanding that the EFCC operates in a very dicey terrain enhances one's capacity to understand the herculean nature of its operational activities. In spite of this, the agency remained crucial in Nigeria's fight against corruption. Although virtually the first decade of EFCC's existence, data collection and documentation by the agency seemed difficult and such situations may also make difficult empirical evaluations of the activities of the agency. In the last few years, the EFCC's operations showed huge number of petitions, investigations, prosecutions and convictions.

Undoubtedly, political corruption in Nigeria is a serious and complex phenomenon. Sometimes, because it involves both ruling and non-ruling elites and highly placed individuals in the society, the litigations drag for years. This does not mean that the EFCC did not secure convictions of individuals or elites alleged to have committed financial crimes or politically corrupt persons. It rather suggests that while political corruption is the major course of action towards the establishment of the agency, the agency has struggled to secure modicum convictions in this area. The EFCC revealed that it had secured 703 convictions between January 2015 and November 2018. The agency stated that it secured 103 convictions in 2015, 195 convictions in 2016, 189 convictions in 2017 and 217 convictions from January 2018 to November 2018 (EFCC 2018). We further access data of the EFCC operations for the years 2019 and 2020.

Table 1: Operational activities of the EFCC (2010-2020)

	Petitions Received	Petitions Transferred To Sister Agencies	Petitions rejected	Petitions Considered for Investigation	Petitions Investigated	No.of Arrests Made	Cases Prosecuted in court	Convictions Secured
	A	B	C	D	E	F	G	H
2010	6,782	2,477	1,767	2,538	2,399	2,143	206	68
2011	7,737	2,385	2,746	2,606	2,606	2,829	417	67
2012	4,914	707	245	3,962	2,062	2,151	502	87
2013	6,089	1,027	609	4,453	2,883	2,904	485	117
2014	4,941	1,082	631	3,228	2,512	2,756	388	126
2015	5,979	1,178	1,140	3,400	2,662	1,862	462	103
2016	7,045	477	1,900	4,686	4,660	2,348	390	195
2017	8,251	196	2,128	5,927	5,622	3,120	501	189
2018	9,566	1,123	2,747	5,696	5,795	3,235	515	312
2019	12,644	-	-	8112	8,729	-	1901	1,280
2020	10,152	-	-	7,340	7,340	-	1,305	865
Total	84,100			44,608	39,930		7,072	3,409

Source: Compiled by the author from online newspapers' reports Abdulsalam, (2020); Ogune (2020) Adanikin (2021)

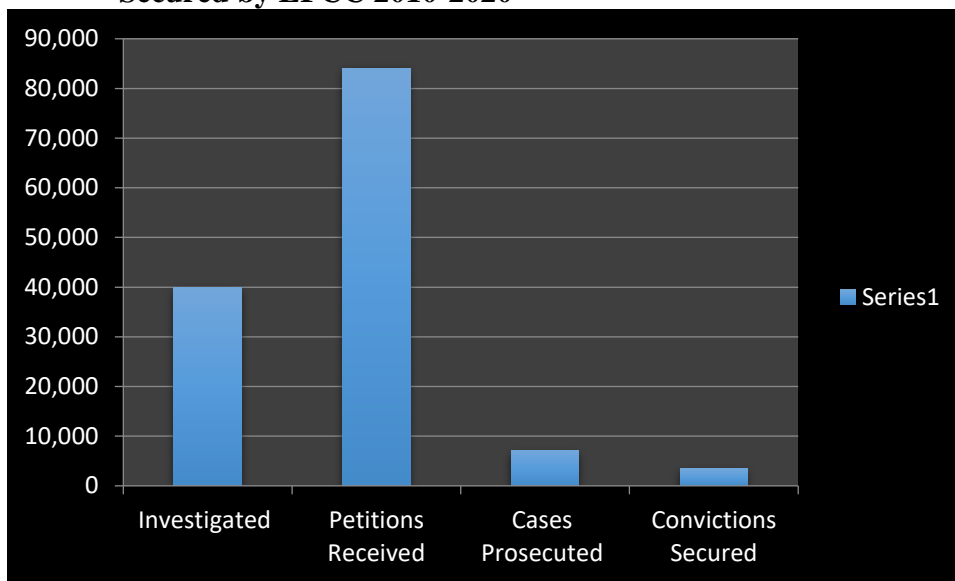
Thus, the total or summation of the figures in the above table is graphically represented below as follows:

Table 2: Total number of petitions, cases investigated and convictions Secured by EFCC 2010-2020

Petitions Received	84,100
Investigated cases	39,930
Cases Prosecuted	7072
Convictions Secured	3,409

Source: compiled by the author

Figure 1: Graphic representation of number of petitions, cases investigated and convictions Secured by EFCC 2010-2020



Source: Author's analysis

Following from the above table, the EFCC in the last one decade received a total eighty four thousand one hundred petitions (84,100). The agency considered 44,608 petitions and eventually investigated 39, 930 of these petitions. In the same vein, the EFCC prosecuted 7,072 cases and secured 3,409 convictions. Considering the number of petitions submitted for the decade to the EFCC and the number of petitions investigated as well as convictions secured, it therefore shows that the EFCC could not investigate half of the petitions received. Although some of the petitions were transferred, reasons for the transfer and sometimes dropping a petition are not always stated. This act is capable of allowing EFCC to drop a petition because of political reasons or the position of the individual in question.

Secondly and perhaps more importantly, the EFCC secured only 3,409 convictions in 10 years. This is not up to one percent of the total petitions received or up to a hundred percent of the entire cases investigated. Also, securing 3,409 convictions mean that the agency did not win half of the 7072 cases prosecuted in the court within the ten years period. More importantly, the details of the convictions secured show that most of these convictions are not related to political corruption.

Political Leadership and Operational Effectiveness of the Economic and Financial Crimes Commission

The greatest challenge of many African states is leadership. In Nigeria, leadership has remained a big challenge (Achebe, 1983; Okunade, 2008). Leadership problem traverses the state and institutions of the state. No doubts, the essence of leadership seems undisputable. It is an essential ingredient in the process of state-building and national development. As Okadigbo, rightly stated leadership is the process through which one individual consistently exerts more influence than others in the pursuit of group behaviour (cited in Olegbenla 2007). Leadership should conform to basic fundamental qualities to be able to exert influence. These qualities tend to drive the action and inaction of a leader.

Political leadership refers to the ruling class that bears the responsibility of managing the affairs and resources of a political entity by setting and influencing policy priorities affecting the territory through different decision-making structures and institutions created for the orderly development of the territory. It could also be described as the human element that operates the machineries of government on behalf of an organised territory. It can therefore be stated that lack of purposeful leadership in a nation can distort development processes and undermine the functionality of state institutions. In this regard, political leadership is essential. It serves as a driving force for other sectors or sub-systems. States, institutions and agencies without good leadership is prone to all forms of failures. So, the achievement of government, agencies and institutions of the state is largely dependent on leadership that exists therein.

Thus, over the years, virtually all the EFCC chairmen or chairperson were removed from office unceremoniously. Former EFCC chairperson Farida Waziri stated “I was a victim of circumstances because I came in when the former chairman was being forced out among such controversy that it rubbed off on me,” (Human Right Watch, 2011). Sometimes if their removal was not bordered on corruption, then it was a case of supremacy and power tussle between the chairman of the EFCC and the Attorney General of the Federation. For example former EFCC boss, Nuhu Ribadu and former Attorney General of the Federation and Minister of Justice Michael Kaase Aondoakaa’s disagreement led to the removal of the former. Also, immediate past EFCC acting chairman Ibrahim Magu fell out with the incumbent Attorney General of the Federation Abubakar Malami and the same faith befell Magu.

Simply put, when the political leadership is right, subordinate institutions and agencies of the state tend to have also good leadership. It therefore enhances the operational effectiveness of state institutions including the EFCC. For instance, the emergence of former EFCC chairperson Farida Waziri orchestrated a near absence of leadership and functional effectiveness of the EFCC. Some political actors at that insisted that the EFCC boss was incapable of steering the ship hence, the agency almost became redundant. According to Human Right Watch (2011) the former EFCC chairman Farida Waziri was widely considered ineffective.

The report further stated that:

Leaked US State Department cables quote then-House of Representatives speaker, Dimeji Bankole, as telling US diplomats that he had no confidence in Waziri’s leadership or integrity and that the EFCC was not worth “one penny” since she had taken over. Rabe Nasir, until 2011 head of the House of Representatives committee responsible for overseeing the EFCC, and himself a former EFCC official and Ribadu supporter simply said the president must “do away with that woman. If he doesn’t, forget about fighting corruption in this country.” By August 2008, the US government had become worried enough to send the Yar’Adua administration a written demarche expressing concerns about the state of the EFCC and asserting that the institution had “turned out to be a disappointment (cited in Human Right Watch, 2011, p.12).

Thus, on the other hand it could be stated that the uncertainties that have continued to cloud the leadership of the EFCC correspondingly impacted significantly on the EFCC’s operational

effectiveness. Whatever the agency achieved or tends to achieve would rely hugely on the stability, vision and independence of the leadership of the Economic and Financial Crimes Commission. It therefore means that ensuring operational effectiveness of the Economic and Financial Crimes Commission means fixing her leadership and allowing the agency to operate in a manner it will solely make decisions within.

Beyond this, it is important to state that the yardstick for measuring the EFCC's effectiveness cannot be in terms of its ability to completely nip in the bud or eradicate corruption in Nigeria. In more honest suggestion, one can argue that this may be impossible to do given the realities, complexities and intensity of political corruption in Nigeria. A more realistic measurement should be on how the EFCC has reduced corruption, with the caveat that corruption is a structural feature of developing countries and changing the incentive structure behind corrupt practices in Nigeria is beyond more conventional top-down anti-corruption strategies (see Onyema et al 2018)

Indeed, it is unfortunate that in ten years, the EFCC only secured 3,409 convictions in a whooping over 80,000.00 petitions received. Perhaps, most of the convictions were not on political corruption. While the policy rational or major thrust for establishing the agency was to reduce if not completely eliminate political corruption. In fact, achieving the set out goals may remain difficult unless the EFCC is able to deal with structural, internal and exogenous influences crippling its activities. The EFCC must purge itself from being tainted by corruption or political intrusion and resolve coordination problems among multiple agencies. Poor management of information and intelligence has necessitated the desire to centralize all necessary information and intelligence about corruption and assert leadership in the anti-corruption effort. This is important especially when put into cognizance the recent leaked video of the former governor of Anambra State in EFCC custody. Unfortunately, the productivity activities of the EFCC have not significantly improved the Nigeria's ranking in the Transparency International Corruption Perception Index.

Following from the above data presented and analysis made, we therefore accepted and validated our third hypothesis which states that political interference hindered the operational effectiveness of the Economic and Financial Crimes Commission between 2002 and 2020.

Conclusion And Recommendations

The political leaders and some elements in the EFCC that supposed to be fighters of corruption were the drivers and enablers of corrupt act. It was clear that the smaller units of a State cannot absorb itself from challenges arising from collective failure. Therefore, the inability of EFCC is a consequence of state failure and the class character of the crime which coincides with the class interest of the state in the contemporary global capitalist system, particularly a post-colonial state such as Nigeria.

Following from the above, this study therefore recommended as follows:

1. There should be a total overhaul of the EFCC and any other anti-corruption agencies in Nigeria. The overhaul will paved the way for the emergence of indisputably apolitical anti-corruption agency capable of subjecting everyone to the law.

2. There is little or no doubt that the EFCC can be better and salvage the current state of corruption in Nigeria if it is entrenched with both financial and operational independence. Based on this we recommend a review of its legal framework to guarantee autonomy of the anti-graft agency.
3. The study also recommends a multi-layer appointment process which will involve the three arms of government and strategic civil society groups, for the initial appointment of the members of the EFCC. Subsequently, the agency should operate as a career institution where the leaders of the agency will rise through the ranks and file of the agency other than political appointment.

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