
An Appraisal Of Economic And Financial Crimes Commission (EFCC) And The War Against Corruption In Nigeria (1999 – 2007)

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Abstract

This article evaluated the activities of the Economic and Financial Crimes Commission on the war against corruption in Nigeria. It is predicated on structural functionalism as a theoretical framework that helped to establish the structural functions of the anti-graft agency. The article revealed that there is no genuine commitment of government nor its agencies to fight corruption. Undue influence of the government hindered the effectiveness and efficiency of the agency. Most investigated cases are inconclusively pending in courts of law, while some indicted ex-governors and top government functionaries are enjoying unchecked freedom. This diluted the tempo and ingredients of the war against corruption in Nigeria. The article concluded that the presidency has eroded the autonomy of the anti-graft agency and calls for general overhaul of the commission.

Key Words: Economic and Financial Crimes, Corruption, and War Against Corruption

Introduction

One of the greatest challenges facing Nigeria as a political entity is corruption. Corruption is one of the colonial legacies bequeathed to the post independent indigenous bureaucrats. The pre-independence scam in the African Continental Bank (ACB) which involved top politicians was one of the grand corruptions recorded before independence in 1960. The post-independent Nigeria witnessed that the political elites of the era were so much centred on individual and ethnic interests purposefully designed to serve personal interest. The first republic was ousted in 1966 by the military on alleged corruption. The leader of the coup de'tat, Major Chukwuma Kaduna Nzeogwu states that:

Our enemies are political profiteers, swindlers, the men in the high and low places that seek bribes and demand ten percent, those that seek to keep the country divided permanently so that they can remain in office as ministers, V.I.Ps. of waste, the tribalists, the nepotists, those that make the country look big for nothing before international circles, those that have corrupted our society and put the Nigerian political calendar back by their words and deeds (Richardson, 2009:47).

One of the principal reasons for the 1975 coup de'tat in Nigeria was the allegation of corruption leveled against General Yakubu Gowon's administration. The Shehu Shagari (Second Republic) administration from 1979 to 1983 was alleged to have institutionalized corruption in public and private sectors under which basis the military ousted the regime. The reign of General Sani Abacha witnessed unprecedented high level of corruption as he championed direct looting from the Central Bank of Nigeria (CBN) from 1993 to 1997 and siphoned more than 452.85 million US dollars and 343.85 million British pounds (Thovoethin, 2003:112).

Successive governments in Nigeria embarked on various anti-corruption programmes consistently to educate the society at large on the adverse effect of corruption on the economy of the nation and the image of the country in the international scene. In highlighting efforts of past regimes in the war against corruption, this study takes a cue from the General Murtala Muhammed war against corruption in 1976, which resulted in the major purge in public and private sectors; the Jaji Declaration in 1977 by Olusegun Obasanjo, sign-posting the commencement of the second-phased battle against the creeping culture of corruption, bribery and indiscipline; the Ethical Revolution of Shagari from 1981 to 1983; War Against Indiscipline by Buhari-Idiagbon in 1984; the National Orientation Movement in 1986, and the Mass Mobilization for Social Justice by Babangida in 1987; to the War Against Indiscipline and Corruption by Abacha in 1996. The country is more corrupt than the imagination of the outside world. Corruption transcends to our unemployed youths who have metamorphosed to security risks to the society. Cases of advanced fee fraud (419), kick-back, up-front payment of ten percent of contracts value to government functionaries for contracts awarded, gratifications to public office holders for executing their legitimate functions in their respective offices etc., are common occurrences in Nigeria.

According to Shively (2007:108), corruption has the potentiality to produce cynicism, lack of faith, and disregard for the rule of law. This can also contribute to broader political instability. One will recall that Nigeria armed forces ousted the democratic and military governments alike over charges of corruption, and it was largely because of the high level of corruption of the governments that the military takeover of governance each time was widely applauded. What corruption does to the country, more generally, is the high cost of government services, poor service delivery and inflated cost of government programmes.

Corruption reduces economic growth and the benefits the society receive from governmental services.

In spite of these seemingly noble efforts of government to combat corruption, it is sad to note that most top government functionaries are deeply involved in corrupt practices. Corruption inhibits development because resources meant for public services are being diverted to individual purses. The quality of services rendered are seriously affected in standard. Some developmental projects enunciated by the government are often abandoned or left uncompleted after collecting mobilization fees (and possibly paying up-front of ten percent of the total value of the contract to the government functionaries that awarded the contract). In his observation on the status of corruption in Nigeria, Obasanjo (cited in Okeke, 2003:257) states that:

Corruption was identified as number one enemy of development and progress. Combating corruption was easily the number one priority action for our administration ... Corruption is a canker-worm that has eaten into the fabric of our society at every level. It has caused decay and dereliction within the infra-structure of government and the society in physical, social and human terms. Corruption has been responsible for the instability of successive governments since the First Republic. Every coup then has been in the name of stamping out the disease called corruption. Unfortunately, the cure often turned out to be worse than the disease ... Nigeria's external image took a serious bashing, as our beloved country began to feature on top of every corruption index.

Asogwa (2008:196) points out that Nigeria has been deeply trapped in the web of systemic corruption, a deadly virus, once it enters into the blood stream of any system; it spreads quickly to all the segments of the organization. The result is that the virus will adversely affect the effectiveness of the system.

The consequence of corruption is so great on any society and in a case where dishonesty is not sanctioned; the trend would be attractive to potential criminals to cheat. The genuine challenge facing all societies is to create a system of governance that promotes, supports and sustains human development. The absence of integrity in governance severely weakens the credibility of the democratic government in all respects, its agencies and institutions. In a developing country like Nigeria, developing and implementing strategies for the prevention or absolute control of corruption is an integral part of ensuring

accountability in public office. Therefore, corruption in the public or private sector results in the misuse of scarce resources which affects the entire economy. Corruption is a symptom of dysfunction in the management of the state. In other words, institutions designated to govern the relationships between citizens and the state is unfortunately being used instead for the personal enrichment of the public officials and the provision of benefits to the corrupt. Alhaji Ibrahim Idris, the Executive Governor of Kogi State, notes that, admittedly, corrupt behaviour remains an institutional problem in Nigeria and it has been recognized as a major obstacle to the construction of democratic and equitable Nigeria society. He argues that using the law exclusively to meet the challenge of eradicating corruption, without involving the structures of governance and administrative capacity, will whittle down the effect of the fight against corruption and ridicule its essence (See ICPC 2008 News Bulletin, Vol.3:1). Corruption is a crime against humanity; it is a societal vice, not a virtue. Corruption is attractive in all ramifications, yet very opprobrious. The Transparency International, a global anti-corruption watchdog, has ranked Nigeria 121st position out of 180 countries in 2008. In another ranking, Nigeria moved up 27 places from 148th position to assume the 10th position out of the 16 West African countries while it dropped nine places in 2009 to assume the 130th position out of the 180 nations ranked on the global Corruption Perceptions Index. In the 2009 Corruption Perception Index, Nigeria obtained a score of 2.5 out of 10 marks and emerged the 27th out of the 47 countries in Sub-Saharan Africa, and 33rd position out of the 53 countries in Africa. The above scenario calls for concern. The need to institutionalize the efforts of government in waging war against corruption in Nigeria warranted Obasanjo's administration to sponsor the bill that gave credence to the law that established the Economic and Financial Crimes Commission (EFCC) and Independent Corrupt Practices and other related Offences Commission (ICPC). This is a critical advancement in our march towards social development and it is a continuum to previous programmes designed to fight corruption.

The broad objective of this article is to evaluate the activities of the Economic and Financial Crimes Commission in its war against corruption in Nigeria. The specific objectives to ascertain whether the Economic and Financial Crimes Commission has reduced the incidence of corruption in Nigeria; whether the Act establishing the Economic and Financial Crimes Commission provide enabling framework for addressing the issues of

corruption in Nigeria; and whether the Economic and Financial Crimes Commission exhibited double standards in its fight against corruption in Nigeria. The data for this research were primarily obtained from the use of primary and secondary data sources such as printed government documents and published materials such as regular textbooks, journals, magazines, internet websites, unpublished materials from individuals and other written records relevant to the study.

Theoretical Framework

Structural functionalism as a theoretical framework is intended to explain the basis for the maintenance of order and stability in society and the relevant arrangements within the society, which maintain the said order and stability. In our formulation of a structural functional framework, social processes and social mechanisms are intervening variables. A complete description of a social system would include, therefore, a treatment of the social structures, and various functions of these structures; and of the social processes and mechanisms that must be in operation if structures are to satisfy certain functions (Holt, 1967:90). It is Holt's view that structural functional analysis is a distinguishable approach primarily because of the selective aspects of social reality that it seeks to describe largely in terms of structures, processes, mechanisms and functions. These four concepts are of particular importance in the laws and theories that are developed (Holt, 1967:86).

The origin of modern functionalism can be traced to Comte. The prominent theorists of structural-functionalism are Herbert Spencer (1874-96); Almond (1966); Parsons (1937, 1961); Merton (1957); Davis (1959); Evans-Pritchard (1940); Meyer Fortes (1945); etc. Almond (1966), one of the principal proponents of structural functionalism, argues that every political system performs certain functions. He adopted Easton's systems analysis and stressed the functions which could be included among the input and output functions of all political systems. The inputs are the functions of interest articulation, and interest aggregation; while the outputs are the functions of rule making, rule application and rule adjudication. According to Almond, the functioning of any political system may also be viewed in terms of its capabilities, which is the way it performs as a unit in its environment. The concepts of regulative, extractive, distributive and responsive capability are employed as

criteria to assess how a system is performing within its environment, how it is shaping its environment, and how it is being shaped by the environment as well.

The structural functional analysis was first experimented in the biological and mechanical sciences as part of systems analysis. It was adopted as a mode of analysis in Sociology and Anthropology. It was developed for political analysis by Gabriel Almond (Haralambos and Heald, 1980). According to Varma (cited in Okolie, 2003), structural functionalism revolves around two main concepts, namely, functions and structures, on the basis of which Varma raised three basic questions - (1) what basic functions are fulfilled in any given political system? (2) by what structures? and (3) under what conditions? He stresses that while functions deal with the consequence (i.e. involving objectives as well as processes) of patterns of actions, structure refers to the arrangements within the system, which performs the functions. Although Comte may be defined as a structural-functionalist, the perspective was developed primarily through the work of Emile Durkheim, who emphasized the central role that moral consensus plays in maintaining social order and creating an equilibrium or a normal state of society. The basic assumption of the structural functional framework is that all systems have structures which can be identified; and those structures perform specific set of tasks if they are to remain in existence and maintain their relevance to the system. Political systems are compared in terms of the manner in which structures perform the expected functions in society. All political systems are therefore perceived to perform two basic functions – input and output functions. Input functions are political socialization and recruitment; interest articulation; interest aggregation; and political communication; while output functions are rule making; rule application; and rule adjudication.

Structural functional analysis enabled the researcher to establish the relevance of the structures created by government to eradicate corruption in the whole system. The structural functionalism as a broad perspective in the social sciences which addresses social structure in terms of the function of its constituent elements (i.e. norms, customs, traditions and institutions), when applied, assisted the researcher to analyze and establish effectiveness and/or ineffectiveness of the EFCC; constraints of the Act that established the anti-graft agency; and its application of double standard in its fight against corruption in Nigeria since its establishment in 2004. Therefore, this article is analyzed based on the structural

functional theory, research design, tables and the logical data framework (LDF) as relevant tools used to generate appropriate data as illustrated below.

Figure 1 LOGICAL DATA FRAMEWORK (LDF)

Hypothesis	Variables	Main Indicators	Data/Sources	Method of Data Collection	Method of Data Analysis
Economic and Financial Crimes Commission has been ineffective in the fight against corruption in Nigeria	(X) EFCC has been ineffective	Inability to arrest ex-governors indicted of corrupt practices; Inability to prosecute investigated cases; Inability to investigate and prosecute allegation of corrupt cases among local government and state officials; etc..	Library texts, Journals, Magazines, African Union Documents, United Nations Documents, Research Institute Reports, Internet Source, Computerized Data	secondary data sources and field studies	Structural functional theory, tables, research design and logical data framework
	(Y) In the fight against corruption in Nigeria	Transparency International ranked Nigeria 121 position out of 180 countries in 2008; 10 th position out of 16 West African Countries in 2008; 130 th position out of 180 countries in 2009 on the global corruption perceptions Index; also 2009 Nigeria got a score of 2.5 out of 10 marks and emerged the 27 th out of the 47 countries in Sub-Saharan Africa, and 33 rd out of the 53 countries in Africa. US annual Humans Rights reports indicated that the EFCC did not perform well http://internationalreporter.com/News-5335/africa-corruption-rating-nigeria-s-worsens.html 2009; the EFCC's anti-corruption efforts were largely ineffectual; In 2010, London Metropolitan Police severed its relationship with the EFCC on account of low performance; British's Serious Organized Crimes Agency (SOCA) has reviewed its partnership with EFCC on poor performance; Mrs. Hillary Clinton, US Secretary of State assessed EFCC and called for the reinstatement of anti-graft initiative in Nigeria.			

Efcc And The Fight Against Corruption: An Assessment

Since its establishment in 2002 and subsequently took off in 2004, the EFCC has taken corruption head-on in its fight against the social menace and has recorded some degree of successes in this respect. For example, Chief Bode George was arraigned by EFCC alongside five other suspects (Aminu Dabo, Olusegun Abidoye, Adullahi Tafida, Zanna Maidaribe, and Sule Aliyu) on a 163-count charge (truncated to 68-count charge) that bordered on an alleged misappropriation of Nigeria Ports Authority (NPA) funds to the tune of N85 billion, and inflation of contract costs contrary to Section 22(3) of the Corrupt Practices and Other Related Offences Act, 2000. Chief Bode George was however convicted

and sentenced to concurrent term of two years imprisonment. For this singular conviction, EFCC has recorded yet another impressive success in its fight against corruption (see <http://www.punchng.com/Articl.aspx?theartic=Art2009102703418530>).

The EFCC investigated Cecilia Ibru, the Managing Director and Chief Executive Officer of the Oceanic Bank Plc. The report reveals that the suspect corruptly amassed wealth and recklessly granted credit facilities to many questionable organizations and fronts without sufficient security against due process as illustrated in figures 2 and 3 below. Prior to this disclosure, the EFCC had thoroughly delved into the secret and shabby deals of the Ibrus and subsequently exposed stinking record of ill-gotten wealth from the highly respected, esteemed and successful business guru. This exposure obviously marveled the world and added one more negative ‘vulture feather’ on the nation’s ranking position in the Transparency International Corruption Index as the ill gotten wealth are shown hereunder:

Figure 2

CREDIT FACILITIES GRANTED TO COMPANIES WITHOUT SECURITY

Date	Names of Companies that benefited from the illegal deals	Amount Granted
Undisclosed	Cloudy Heights Limited	N16 billion
-	Petosan Oil and Gas Company	N75 billion
-	Petosan Oil Development Company Limited	N6,500,000,000
-	Petosan Farms Limited	N2 billion
March 2009	Bliss-Bloss Intergrated Limited	N15 billion
Undisclosed	Midwestern Oil and Gas Plc	N8.1 billion
-	Circular Global International Limited	N15 billion
March 2008	Ibru Edesiri Onatejirohene	N36 million

March 2008	Ibru Edesiri Onatejiroghene	N8,757,947.26
April 2009	Petosan Oil and Gas Company Limited	N5 billion
Undisclosed	Petosan Property and Development Company Limited	N6,500,000,000

Source: The Source, Vol. 26(15), February 01, 2010, p.21

The anti-graft agency has arraigned Cecilia Ibru to the court of law for illicit deals enumerated above and another charge on allegation that borders on illegal acquisition of properties and shares of different companies termed “monumental corruption of the century” as illustrated below. The EFCC charge sheet disclosed that loans were granted without adequate security against accepted practice and thereby committed an offence contrary to Section 15(1)(a) of the Failed Banks (Recovery of Debts) and Financial Malpractices in Banks Act 1994, Laws of the Federation of Nigeria. The anti-graft agency has allegedly placed embargo on the shares worth N5.5 billion shares in 77 companies cutting across multinational blue chips, hotels and the banking industry and properties enumerated in figure 3. The Anti-sleaze Agency has also been alleged to have applied for Court order to confiscate these properties illegally acquired (in figures 2 and 3) and the public has been warned to refrain from buying any of the Cecilia Ibru’s properties enumerated in this article.

Figure 3

ILLEGAL ACQUISITION OF PROPERTY

DATE	PROPERTY AND LOCATION	VALUE
19/04/2009	4141 Chariot Way, Upper Marlboro, Maryland	\$441,790
19/04/2009	4143 Chariot Way, Upper Marlboro, Maryland	\$439,362
12/03/2009	4155 Chariot Way, Upper Marlboro, Maryland	\$452,508
14/04/2009	4145 Chariot Way, Upper Marlboro, Maryland	\$440,105
21/04/2009	4139 Chariot Way, Upper Marlboro, Maryland	\$451,629
22/07/2008	14605 Hawley lane, Upper Maryland	\$399,999
17/05/2008	14630 Hawley Lane, Upper Marlboro, Maryland	\$460,703
28/10/2008	14721 Argos Place, Upper Marlboro, Maryland	\$457,950
26/11/2008	14719 Argos Place, Upper Marlboro, Maryland	\$451,840
ILLEGAL ACQUISITION OF SHARES		
NAME OF COMPANIES	NUMBER OF SHARES IN EACH COMPANY	
First Bank of Nigeria Plc	275,795,139	
Union Bank Plc	64,218,000	

United Bank for Africa Plc	93,750,000
Oceanic Bank Plc	1,076,220,421
Zenith Bank Plc	10,280,000
Access Bank Plc	352,500
Fidelity Bank Plc	12,500
Guarantee Trust Bank Plc (GTB), etc.	110,000

Source: The Source, Vol. 26(15), February 01, 2010, p.23

<http://www.saharareporters.com/news-page/former-md-oceanic-bank-cecilia-ibru-convicted-bank-fraud>

The Economic and Financial Crimes Commission arraigned former Governor of Nasarawa State, Alhaji Abdullahi Adamu along with 18 other suspects before a Federal High Court, Lafia, Nasarawa State on a 149 count charge that bordered on alleged looting of the state treasury to the tune of about N15 billion during Adamu's eight-year-tenure as Governor of the State. There is also the prosecution of Honourable Godwin Ndudi Elumelu, Senator Nicolas Ugbane, Hon. Jibo Mohammed and six others by the EFCC on a 130-count-charge that bordered on defrauding the government to the tune of N5.2 billion from the Rural Electrification Agency (REA) fund but no further legal action had been taken. (http://efccnigeria.org/index.php?option=com_content&task=view&id=857&Itemid=33).

The ex-governor of Sokoto State, Alhaji Attahiru Bafarawa is currently standing trial in High Court of Justice, Sokoto over an alleged N15 billion corruption charge brought against him by the Economic and Financial Crimes Commission. The court has ordered the re-arrest of the ex-governor as a result of his non-appearance in court to face trial as mandated by law. The Chairman of the EFCC has similarly directed that the former governor be declared wanted with a view to seeking the assistance of other security agencies across the world to arrest him. The anti-graft agency does not pursue with vigour the corrupt charges brought against other ex-governors who are "political sons" of Obasanjo. Most of the corrupt charges brought against the ex-governors in the "good book" of Olusegun Obasanjo have been dropped or ignored to die natural death. (http://efccnigeria.org/index.php?option=com_content&task=view&id=854&Itemid=34).

In April 2008, the EFCC began the investigation of Senator Iyabo Obasanjo-Bello for receiving N10 million (\$100,000) stolen from the Ministry of Health. The former Minister of Health and the deputy were also on trial for stealing over N30, 000,000

(\$300,000) from the Ministry's unspent funds from the 2007 budget. Although the Minister and his deputy lost their jobs, Senator Iyabo Obasanjo-Bello dramatized her case out of the court and eventually went scot-free. The court has maintained silence on the case (see: <http://www.efccnigeria.org/index2php?option>). The Economic and Financial Crimes Commission, on 10 August, 2009, sealed off the premises of Cosmo FM Radio Station, Rainbownet Nigeria Limited and other companies believed to be owned by the ex-governor of Enugu State, now Senator Chimaroke Nnamani. The properties were seized by the EFCC through a Lagos Federal High Court order in May 2007 following the indictment of Nnamani over alleged corruption and embezzlement of state funds to the tune of N5.3 billion (see: <http://www.efccnigeria.org/index.php>).

After arraigning the ex-governor in court for prosecution, it appears the case had been stepped down because as at 25th September, 2010 there was no conviction nor acquittal. Rather, the case is suffering prolonged adjournments. Justice delayed is justice denied.

The Economic and Financial Crimes Commission, on 14th August, 2009 arraigned the immediate past Comptroller General of the Nigeria Customs Services, Hamman Bello Hammed and five others, namely, Tajudeen Olalere (General Manager), Vaswani Group Lukman Hussain (a clearing agent), Hannatu Sulaiman (a Custom Comptroller in charge of Apapa Wharf, Lagos), Popular Foods Limited and Silver Maritime (Shipping) Company Limited, at a Federal High Court, Ikoyi, Lagos on a 46-count charge bordering on alleged N2.5 billion custom duty scam (see: <http://www.efccnigeria.org/>). The EFCC, on May 27, 2009, arraigned Mr Mike Okoli (Company Secretary of Transnational Corporation (TRANSCORP) Plc, alongside Thomas Iseghohi (Group Managing Director), and Muhammed Buba (Deputy General Manager) at a Federal High Court, Maitama, Abuja on a 32-count charge of criminal conspiracy, criminal breach of trust, money laundering and misappropriation of public funds to the tune of N15 billion. The suspects were said to have been remanded in Kuje Prison.

Similarly, Isa (2007:4) reports that the EFCC had charged the former People's Democratic Party (PDP) governorship candidate for Abia State in the April 2007 general elections, and former Chairman of the Niger Delta Development Commission (NDDC), Chief Onyema Ugochukwu before a Federal High Court, Abuja for corrupt practices. According to Isa, Chief Ugochukwu was accused of corrupt handling of about N10.2 billion

while serving as the Chairman of the NDDC. The report reveals that the charges were prepared by the Office of the Attorney General of the Federation. The charges accused Chief Ugochukwu of inflating contract value and making false statement in respect of N9.3 billion allegedly trapped in the distressed Societe Generale Bank of Nigeria; inflating of a contract value for the construction of a 15 kilometre road in Obehi-Mkpologwu from N250,260 million to N880,000 million; while the second count accused him of inflating contracts value for the construction of a road in Umuahia from N180 million to N462 million. In the third count, Chief Ugochukwu was accused of furnishing of false statement in respect of N9.3 billion claimed to have been trapped in Societe Generale Bank of Nigeria, but which sum was said to have been disbursed by the former Chairman of NDDC while in office. The EFCC seems to be handicapped to prosecute these criminal cases that have been investigated. There is seemingly an expression of reluctance in prosecuting the cases cited above. This strengthens the speculation that the anti-graft agency is selective in its operations.

Mrs. Farida Waziri, Chairman of EFCC contends that the Commission has recovered more than N250 billion from various suspects; and also secured 75 convictions in the past eighteen (18) months of her tenure; and this represents about a third of all convictions secured since the inception of the Commission in 2004. Secondly, with the development and deployment of “Eagle Claw” - software that had changed the face of fighting cyber crimes in Nigeria, about 1,200 scam e-mail addresses and websites have been shut down, while eighteen syndicate leaders have been arrested and the suspects are being tried (see <http://www.thenationonline.ng.net/web2/articles/33343/1/EFCC.../Page1.html>).

On his part, Barrister Joseph Daudu (SAN), current President of Nigerian Bar Association, believes that the body is yet to achieve much, adding that it is pointless to have an expensively set up body like the EFCC with only a five per cent success rate usually at the trial stage. Most importantly, majority of their convictions are whittled down on appeals and this is against the background that they lack nothing in terms of resource allocation from government. He stresses that EFCC operatives, till date, are amongst the best trained in the world; they are more than adequately equipped for the battle against corruption; but in truth, there is absolutely little to exhibit as encouraging signposts in the battle against corruption; and their records do not reflect or justify the exorbitant expenditure burnt up on them (see: <http://thenationonlineng.net/web2/articles/33343/1/EFCC...Page1.html>).

The Chairman of the Economic and Financial Crimes Commission, Mrs Farida Waziri has publicly acknowledged that weak administrative structure and the absence of a career path for the officers are some of the challenges confronting the Commission. She argues that there is the problem of haphazard administration and investigations, as well as poorly motivated workforce and unnecessary political interference from government which creates administrative constraints in course of strategizing operations (see: <http://www.thenationonline.ng.net/web2/articles/33343/1/EFCC.../Page1.html>).

The incident of N50 million scam which involved the former Minister of Education, Professor Fabian Osuji and the former Senate President, Chief Adolphus Wabara; the N628.8 million contract scandal which involved the former Speaker of the House of Representatives, Hon. Patricia Etteh and her Deputy Speaker, Hon. Babangida Nguroje; the National Integrated Power Project of \$16 billion scam which involved top government functionaries, including the former president of the Federal Republic of Nigeria, Chief Olusegun Obasanjo are cases of corruption EFCC has not made any effort to investigate and these are the indices that weigh down socio-economic growth in Nigeria. The puzzle is not merely that the huge expenditure failed to translate to more electric energy, but that for most times, it actually translated to less electric power supply for the people with its attendant negative consequences. Oby Ezekwesili, former Director-General of Due Process stated in a public function in Abuja that only three billion dollars was actually spent on the sector within the period under consideration. Mrs. Fatima Ibrahim, former Minister of State for Energy (Power) gave a breakdown of the expenditure on the power project over a period of eight years as follows:

Figure 4 DETAILED EXPENDITURE ON POWER SECTOR (1999 -2007)

YEAR	TOTAL AMOUNT
1999	N6.7 billion
2000	N49.8 billion
2001	N71.0 billion
2002	N41.2 billion
2003	N5.2 billion

2004	N54.4 billion
2005	N70.13 billion
2006	N72.4 billion
2007	N61.1 billion

Source: Nigerian Newsworld, March 31, 2008; the Business Eye, Vol. 2:11, 24-30 March, 2008

Mrs. Fatima Ibrahim further disclosed that the sum of N235 billion which is equivalent to \$6.5 billion was used to finance the National Integrated Power Project (NIPP) during the same period (1999 to 2007). She described the NIPP as a mind boggling project on which a lot of money had been invested, yet the work had not proceeded on schedule. Former Attorney-General and Minister of Justice, Chief Richard Akinjide (SAN) (quoted in Obogo, 2007) argues that taking a look at what is going on in the country today and the bare-faced corruption and thievery that the present day politicians have institutionalized, he will advise that never put a hungry man in charge of the kitchen. The acquisitive instinct has become obscene, it has become a scandal. Akinjide described the ex-president Obasanjo as a monumental failure and wished that Nigeria never experiences characters like Obasanjo as leaders again. To buttress this argument of a hungry man being in charge of the kitchen, Uwodi (2007:1-2) argues that there are more revelations to the Hon. Ndudi Elumelu-led House of Representatives Committee investigating the \$16 billion sleaze in the power sector. Former President Olusegun Obasanjo was alleged to have dubiously favoured some unscrupulous elements through fictitious awards of contracts as shown below:

Figure 5 \$16 BILLION SCAM IN THE POWER SECTOR

Name of Company	Nature of Contract and/or Owner of Company	Amount \$
Tasolk and Associates	Ibogun Temidire Olaogun	27,096,148

	and power plant in Ogun State	
Mak and Mak (Nigeria) Limited	Okpitim, Amachi power project in Ebonyi State	45,558,237
Wimbo (Nigeria) Limited	Senator Durojaiye (owner)	45,940,120
Horb Vent Limited	Dr Olajumoke (owner)	49,253,253
Tomleya Vent	Senator Ladoja (owner)	49,982,377
Symak Limited	Hon. C. Macebuh (owner)	34,648,122
Oesco Construction Company Limited	Mao Ohuabunwa (owner)	14,904,806
Adolfee Nigeria Limited	Senator Adolphus Wabara	33,890,765
Nabeelah Nigeria Limited	Senator M Ibrahim	40,714,415
Ashalt Nigeria Limited	Hon. Bashir Adamu (owner)	18,589,356
Saffi Nigeria Limited	Hon. Aminu Bello Masari	32,180,825
Not disclosed	Hon. Lawal Funtua	23,646,576

Source: Uwodi, Sam (2007). Fresh Facts Newspaper, April 21 - 27 pp.1-2

Most of the companies named above are alleged to be fictitious in nature; and some of these “honourable” members of the National Assembly failed to execute the contracts, while others abandoned uncompleted projects and/or haphazardly executed projects. This is grand corruption at the top level of government functionaries. As the engine of the productive sector, the looting at the sector had rendered many jobless; for example, artisans are out of job, while manufacturing industries have been out of production, with the resultant effect that many employees have been retrenched due to lack of power generation. Foreign direct investors are being scared to invest in Nigeria.

Furthermore, former President Obasanjo administration was alleged to have awarded a contract of N600 million to a German firm, (Lahmeyer International), blacklisted by the World Bank for allegedly bribing government officials in some African countries. Out of the contract sum, a total of N370 million had been collected by the company as mobilization fee, while the project was abandoned. In the same manner, the former Head of State, General Abdulsalami Abubakar, Chairman of Energo Nigeria Limited, in 2003, got N19 billion transmission substation contract that has achieved less than five percent implementation, even though he had collected N13 billion of the contract sum. The company was awarded the contract for the construction of an EPC 2003 (Lot3) 330KVA substation and New Haven-Uboji-Ikot Ekpene transmission line. The offshore component of the contract sum was 72.7 million euros and N4.86 million for the onshore component (see Nigerian Newsworld Magazine, March 31, 2008, pp14-20). The EFCC is unwilling to investigate these allegations because of personalities involved. Corruption has been widely acknowledged in our society as an endemic disease that has defied all available solutions, as you leave one scene of corruption you encounter another, endlessly.

Ekwomadu (2009:10-19) reports that the Senate Committee on Transport has indicted Shamsudeen Ade Dosunmu, Director General of Nigerian Maritime Administration and Safety Agency (NIMASA) for huge fraud allegedly perpetrated in the Agency, and handed over the case to the EFCC for prosecution in the court of law. The Senate Committee, according to Ekwomadu, reveals that the Agency, under the administration of Dosunmu, allegedly paid Carveton Helicopter the sum of N7,762,500 for rendering no service to NIMASA in June 2008; N13,196,250 on January 2008; and N25 million as shown on the Agency's records. On July 2008, World Class Consultant Ltd. allegedly fraudulently received the sum of N354,173,763.40 for contracts that were not executed. The Senate Committee report also reveals that N7.7 million was paid to Carveton Helicopter in May 2008; in June 2008, the same sum (N7.7 million) was repeatedly paid to Carveton Helicopter for allegedly strengthening the relationship between the Agency and the Consultants; while between June and July 2008, World Class Consultant Ltd. was paid N400 million without due process. Other payment made fraudulently by NIMASA includes N200 million to World Class Consultant Ltd. for recovery of two percent cabortage surcharge (see Scroll Nigeria,

March 16, 2009:10-19). There is also a record of corrupt practices against some ex-governors. Saminu Turaki, former governor of Jigawa State was alleged to have misappropriated the sum of N36 billion from the state funds. Turaki was also alleged to have laundered public funds of various values, an offence the Legal and Prosecution Unit of the EFCC states is punishable under section 14(1) (b) of the money laundering (Prohibition) Act 2004. The ex-governor's money laundry is shown in figure 6 below:

Figure 6 Detailed Money Laundry of Saminu Turaki, Ex-Governor of Jigawa State

Date	Amount	Location
03 May, 2006	N17 billion	Abuja
03 May, 2006	\$20 million	Abuja
15 July, 2006	N7.7 billion	Abuja
31 July, 2006	N91,870,142.06	Abuja
25 August, 2006	N32,529,041.01	Abuja
27 September, 2006	N34,697,640.08	Undisclosed
27 October, 2006	N417 million	Abuja
01 and 28 November, 2006	N57.6 million	Undisclosed
27 December, 2006	N240,282,520.64	Undisclosed
26 Jan. – 31 July, 2007	N24 billion	Undisclosed
25 April, 2007	N1,263,914,384.00	Not disclosed

Source: The Source Magazine, 30 July, 2007, Vol. 21:16

<http://www.saharareporters.com/photo/saminu-turaki-ormer-governor-jigawa-state>

Saminu Turaki argues that substantial sum out of the N36 billion allegedly siphoned, was invested into the People's Democratic Party third term project (The Source Magazine, 30 July, 2007, Vol.21:16). Ploughing the seed of corruption back into party project depicts that government encouraged politicians to misappropriate public funds for personal interests.

This syndrome of get rich fast under the coverage of the federal government gave Chief James Ibori, former Governor of Delta State, the impetus to claim that he was the chief financier of late Alhaji Shehu Musa Yar'Adua's presidential campaign. This singular act weakened the moral capability of the federal government to investigate the ex-governor nor prosecute him in the court of law. Chief James Onanefe Ibori was accused of illegal sale of V-Mobile (now Zain) 528 million shares belonging to Delta State government and using the money to benefit himself. He was also accused of misappropriation of N44 billion and laundering over 70 million pounds through British Banks. EFCC also alleged that Ibori stole 292 million dollars from public coffers during his eight-year tenure as Governor of Delta State. Ordinarily, the stolen money is enough to improve healthcare services, rehabilitate roads and schools and create job opportunities to alleviate poverty in the state. Public office is a public trust and should be managed with all sense of responsibility, accountability and transparency (<http://pmnewsnigeria.com/2010/10/19/ibori's-travail-and-the-fight-against-corruption>).

On the other hand, the EFCC has arrested four Imo State officials for corrupt practices. The anti-sleaze agency was investigating fraudulent award of contracts; diversion of local government funds; and misappropriation of public funds in Imo State. The suspects, listed below, were alleged to have misappropriated N15 billion from the state government coffer:

Figure 7 **CORRUPT OFFICIALS OF IMO STATE GOVERNMENT IN EFCC NET**

Names of Culprits	Status	Amount
Irechukwu George	Commissioner for Finance	N15 billion
Nwosu Obiora Ralph	Commissioner for Works and Transport	
Ben Ekwueme	Special Adviser on Project Monitoring	
Polly Ajoku	Accountant General	

Source: <http://www.nigeriaindependent.com/index.php/politics/730473-EFCC-discovers-Rivers-States-officials-hideout.html>

Chief Jonathan Okoli, the President of Aguiyi Ironsi International Trade Centre, Ladipo Market, Mushin, Lagos was also arrested by the EFCC for alleged involvement in N680 million fraud. Chief Okoli was alleged to have defrauded the Lagos State Government, Mushin Local Government and the traders in the International Market of the sum. The allegation is being investigated by EFCC so as to prosecute the accused. (See: <http://www.nigeriaindependent.com/index.php/politics/730473-EFCC-discovers-Rivers-States-officials-hideout.html>).

Conclusion

This article appraised the activities of the EFCC in the war against corruption in the country. The ineffectiveness of the anti-graft agency was established. This article reveals that there are many reported but uninvestigated and non-prosecuted cases of corruption in all segments of the society with intimidating facts and figures to buttress each case of corruption. Most unfortunately, our leaders, top government functionaries, public and private sectors etc. are deeply involved in corrupt practices, thereby, lacking the moral courage to curb the excesses of their subordinates. Since nobody is checking anybody, corruption has been taken as our way of life, so tap-rooted in our daily lives, in our families, churches, mosques, hospitals, schools, market places, public offices, private organizations etc. A country being led by corrupt leaders will definitely reproduce corrupt followers; everybody struggling to overrun the other in the bid to perpetuate evil deeds.

Economic and Financial Crimes Commission is accused of being heavily influenced by the executive arm of the government in the war against corruption. There is a serious outcry of partiality, intimidation, lack of rule of law, selective prosecution of suspected or indicted political criminals; political persecution characterized the activities of the anti-corrupt agency; economic saboteurs are openly rewarded as political surrogates, arbitrary disqualification of parties' nominated candidates for various elective offices, internal suffocation of political parties' democratic processes, particularly against those perceived as "enemies" and/or political opponents of the Obasanjo-led government. The implications of these findings are that the war against corruption is weakly fought; the system breeds more

corrupt persons since nobody shows genuine concern in the fight. The Independent National Electoral Commission and the Economic and Financial Crimes Commission became captives and political tools of the President to fight perceived 'enemies' of the government. The agencies were solely responsible to the President and Chief Olusegun Obasanjo privatized these organizations to his family. The war against corruption became a flop as top government functionaries are more corrupt than those corrupt elements the war is being waged against. Until Nigeria produces a patriotic and committed leader (an impeccable President) to lead in the battle against the menace, the current war is a colossal waste of national resources. A committed anti-sleaze agency in the fight against corruption will not achieve the desired goals without genuine support of the government through exemplary demonstrations.

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