The Economic and Financial Crimes Commission (EFCC) and the Fight against Corruption and Insecurity in Nigeria, 2004-2015.

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Abstract

This study, "Economic and Financial Crimes Commission (EFCC) and the Fight against Corruption and Insecurity in Nigeria, 2004-2015" focuses on the battle against corruption and insecurity in Nigeria. In order to tackle economic and financial crimes in the nation, Olusegun Obasanjo's administration founded the EFCC in 2004. The commission is an interagency body made up of a 22-member board that is selected from all Nigerian law enforcement agencies and regulators. This study therefore aims to investigate the relationship between corruption and insecurity in Nigeria, assess the degree to which corruption and insecurity have impeded Nigeria's development, and assess the effects and difficulties faced by the Economic and Financial Crimes Commission, which is mandated to combat corruption in Nigeria. The secondary type serves as the study's information or data source. Books, periodicals, journals, and newspapers are the sources of the information. The study's findings indicate that there is a strong correlation between insecurity and corruption in Nigeria. The study also revealed that some of the reasons for corruption in Nigeria are avarice, nepotism, and tribalism. Corrupt practices impede progress, increase suffering, hunger, and instability. The results are presented in a descriptive and analytical manner.

Keywords: Corruption, Insecurity, Nigeria, Economic and Financial Crimes Commission

Introduction

Corruption and instability have been identified as the biggest obstacles to growth, particularly in third-world nations. In Nigeria, corruption is rampant. The threat

of corruption is thought to have an impact on every aspect of the nation, in one way or another. Individuals appear to have internalised the notion that hard work is unrewarded and that the only way to get wealthy is through having strong ties to the government, which has institutionalised corruption in society.

Aliu (2010) noted that greed is the reason why powerful individuals are corrupt. His opinions are often supported by the majority of people, who think that this nation's resources can provide for every member of the populace's basic necessities. That's why the Political Bureau Report (1987) asserts that corruption is fundamentally a byproduct of our very individualistic, materialistic society, which emphasises people's struggle to amass as much riches as they can, regardless of how much wealth they actually gain. Mba-Afolabi (1999) asserts that this circumstance has prompted people, both alone and in groups, to seek out illicit and antisocial ways to get money. According to Akindele (2007), there are serious problems with corruption that affect national life. Based on the formulation and implementation of policies aimed at guiding Nigeria out of corruption, he contends that since the country's independence in 1960, successive administrations have been mired in crises of confidence. The illicit practice of taking money from the public coffers or diverting it for personal gain is known as corruption. Because it is contagious and malignant, corruption poses a threat to the systemic viability of any democracy (Akindele, 2007).

Nigerian and other developing nation governments have a history of being fixated on power and the material requirements of power. In the light of the underdeveloped state of affairs, political power provides once-in-a-lifetime opportunity to overcome the general degree of poverty and squalor that permeates the society. Additionally, it offers a unique chance to amass riches and status so that one can give jobs, connections, financial gifts, and other favours to family members and political allies (Dudley, 1982). Based on the information provided by Dudley, it may be inferred that communities of public officials who profit from the looted public coffers in one way or another are more likely to support political corruption.

Igwe (2010) says that corruption can be categorised as systemic or sporadic depending on its characteristics. Petty or accidental corruption is an example of sporadic corruption, which is the antithesis of systemic corruption. The phrase "sporadic corruption" suggests that corruption happens infrequently and does not pose a threat to the nation's economy. It is not fatal, even though it could lower people's spirits and deplete financial resources. When corruption permeates every part of the political, social, and economic structures to the point where it becomes irrational, this is known as endemic or systemic corruption,(Igwe,2010).

Conversely, insecurity carries various connotations, including lack of protection, danger, uncertainty, and absence of safety. This refers to violations of peace and security that have resulted in recurrent conflicts that Nigeria has seen over the years, causing wanton destruction and the loss of lives and property. These violations can be historical, religious, ethno-regional, civil, social, economic, or political (Onyemeizu, 2006). This can include unpleasant situations, mistreatment, or personal anxieties. For instance, compared to Boko Haram, the fear of armed robbers are currently less in the north. Human threats to life can originate from non-conflict causes as well as conflict situations, according to Saliu, Luqman, and Abdullahi (2007). Therefore, a state of fear of damage, injury, or harm to a person, group, or country is known as insecurity.

The Intersection between Corruption and Insecurity

Nigeria faces challenges related to insecurity even after sixty years of independence. Corruption lies at the heart of this. In Nigeria, corruption continues to be the biggest threat to security. It makes sense that corruption and insecurity are related. The flames of poverty, crime, and hence insecurity are fanned by corruption. Examples of variables that contribute to insecurity include disease, unemployment, terrorism, cultism, armed robberies, and other issues that are either directly or indirectly caused by corruption (Dike, 2005). It is sufficient to mention that corruption has been found to be the primary source of Nigeria's insecurity, which impedes the nation's progress and unity (Angela and Nkemajoko, 2014).

Before militancy occurred in the Niger Delta, corrupt politicians had first recruited

political thugs to support them during elections (Larry, 2017, Kemebi, 2010, Ibaba, 2005). The thugs who were left unemployed after the elections found a new career in militancy, which in turn led to the bombing of oil pipelines and the kidnapping of foreign oil workers for ransom. Even now, when the militants who had been granted amnesty have sheathed their swords, kidnapping for ransom or rituals continues to be a profitable business for many in the country.

The Boko Haram sect continues to instill fear in the lives of the inhabitants of the northeastern region of the country. Many of the members of the group were political thugs, just like their forebears, the Niger Delta militants (Ibrahim, 2014). One of the main contributors of poverty is political corruption. Nigeria is still among the world's poorest nations, with a large number of its citizens living below the poverty line, despite its wealth from oil and other abundant resources (Mbumega, 2012). This is a result of corruption.

The nation's current state of poverty is the result of a few self-centered people taking money meant for development and using it for their personal gain, leaving the majority of people to live in extreme poverty. There's little doubt that these sums could have been used to improve the citizens' lot in life. Nigeria's GDP per capita dropped from 1,10 US dollars in the early 1980s to 500.00 US dollars in 1999, despite more than 400 billion dollars being documented as embezzled from the country's treasury by its leaders between 1960 and 1999 (Okoduwa, 2007).

Conflict can become a means of expression for people who are frustrated when their demands are not being met. This is consistent with the proverb "a hungry man is an angry man". Embezzlement of public funds by former state officials, including Heads of State, Presidents, Ministers, Governors, Senators, and Local Government Chairmen, has deprived the aforementioned Niger Delta region and Nigeria as a whole of capital funds required for development.

According to Ibrahim (2014), one of the contributing elements to the conflicts in the North East region is the region's poverty and educational backwardness. People draw attention to their predicament through provocation when they are unemployed, without a job, and without the necessities of existence. Nigeria is full

of young unemployed people who will do anything to pass the time if no one else cares, including commit crimes. To make ends meet, many unemployed young people turn to violent electoral campaigns, armed robberies, murders, kidnapping, and other crimes. Political activist Odumakin (2012) argues that Nigeria cannot have peace if its youth population of 60 million is unemployed. Although it is true that there are other motivations for criminal activity, we cannot discount the possibility that jobless behaviours are a direct outcome of corruption. Corruption breeds discontent, discontent breeds conflict, and conflict breeds insecurity. For example, unemployed youths in the Niger Delta region were active participants in the Niger Delta agitations during the armed confrontations between militants and multinational oil firms; many of these youths are affiliated with the Boko Haram sect in the northeast. Furthermore, dishonest people in the nation support actions that jeopardise national security with their illicitly acquired income. For instance, dishonest politicians fund political thugs across the nation, particularly during election seasons, with funds taken from the state or pilfered by them.

The Fight against Corruption and Insecurity and the Economic and Financial Crimes Commission

Nigeria's successive governments have instituted a number of anti-corruption policies and tactics. The Buhari/Idiagbon regime's War Against Indiscipline (WAI), Babangida's Committee on Corruption and Other Economic Crimes, Shagari's Second Republic's Ethical Reorientation Campaign, and the War Against Corruption are a few of these initiatives. Other measures include the formation of tribunals, commissions of inquiries, and probe panels to prosecute corrupt officials. These did not yield many outcomes. However, Olusegun Obasanjo, the country's president at the time, made the fight against corruption a central tenet of his government after realising that social, political, and economic advancement in Nigeria cannot be achieved without first combating or eliminating corruption. As a result, the Economic and Financial Crimes Commission (EFCC) was founded in 2004. According to the EFCC Act of 2004, the EFCC is an interagency commission made up of a 22-member board that is selected from among all Nigerian law enforcement and regulatory agencies.

Laws from before 1999 provide the EFCC the authority to uphold all anti-corruption and anti-money laundering regulations. Depending on the type and seriousness of the violation, the EFCC Act's stipulated punishments can include paying fines, having assets forfeited, and serving up to five years in jail. Life imprisonment is the penalty for using corruption to fund terrorism and engage in terrorist actions. The EFCC's primary goal is to stop financial and economic crimes. Investigating financial crimes such as Advance Fee Fraud (419), Money Laundering, Counterfeiting, Illegal Charges, Contract Scam, etc. is one of the EFCC's duties and powers. The EFCC is also empowered to organise, implement, and uphold all laws against financial and economic crime as well as any enforcement mandates granted to individuals or organisations. In order to identify individuals, corporate entities, or groups involved in economic and financial crimes, the commission will work in conjunction with other government bodies both inside and outside of Nigeria to carry out tasks that are entirely or partially similar to those of the commission. The commission will also review and investigate all reported cases of these crimes (EFCC Act, 2004).

The EFCC has had a noticeable impact on Nigeria's fight against corruption and, consequently, insecurity. This impact can be linked to the number of persons, corporate entities, and others that are apprehended, prosecuted, and found guilty. In 2007 alone, the EFCC's efforts to combat corruption in Nigeria led to the arrest, apprehension, trial, and conviction of over 200 individuals on a variety of corruption-related offences; in 2008, this number increased by 25% (Ikporukpo, 2016). The first Executive Governor of Bayelsa State, Chief DSP Alamieyeseigha, was arrested, tried, and found guilty in 2005. The EFCC also charged US Vice President Dick Cheney in 2010 regarding a bribery scandal involving KBR, an engineering firm that was a Halliburton subsidiary and admitted to paying 180 million dollars in bribes to Nigerian officials before 2006. In June 2011, the House of Representatives got a N10 billion loan, which was allegedly severely mismanaged. This led to the arrest of former Speaker Dimeji Bankole (Yusuf, 2011). The October 2011 arrests of former governors Adebayo Alao Akala of Oyo State, Aliyu Akwe-Doma of Nassarawa State, and Gbenga Daniels of Ogun State for allegedly embezzling approximately N101 billion in public funds during their

tenure as chief executive officers of their respective states are part of the efforts of the EFCC to fight corruption and insecurity in Nigeria (Ganagana and Adebayo, 2011).

In February 2012, Chief Timipre Sylva, a former governor of Bayelsa State, was hit with six counts of suspected misuse of N2.45 billion state funds by the EFCC (Ogundele, 2012). In March 2012, the organisation took six properties, which included a hotel and four petrol stations, from a former Director of Pension Administration working for Dr. Sani Teidi Shuaibu, the Head of Civil Service of the Federation. Shuaibu was on trial for a N4.56 billion scam (Yusuf, 2012). In March 2012, the Ondo State Oil Producing Communities Development Commission chairman, Mr. Debo Ajimuda, was also detained by the commission on suspicion of embezzlement totaling N61.63 billion (Yusuf, 2012). The case against former Adamawa State governor Mutala Nyako and his son, Senator Abdullaziz Nyako, stemmed from allegations in July 2015 of N15 billion in money laundering charges (Oyesin and Onani, 2015). A few high-profile cases the EFCC has prosecuted in her first campaign against corruption and implicitly, insecurity, are the questioning of former Kebbi State governor Saidu Dakingari over allegations of mismanaging N3.8 million in October 2015 (Yusuf 2015), and the investigation and prosecution of an arms deal worth approximately $2 billion by the former National Security Adviser, Colonel Sambo Dasuki Rtd, and others (Obalanye, 2015, Yusuf, 2015).

In addition, the EFCC reported that it had recovered around 11 billion dollars and stopped the loss of over 1.5 billion dollars via fraudulent contracts and commercial offers. Under the leadership of Farida Waziri, the commission prosecuted roughly 75 high-profile cases in court and obtained over 650 convictions between 2008 and 2011. Furthermore, between 2008 and 2011, the commission shut down over 5,000 bogus email addresses, and over 80 suspects related to these addresses went on trial (Nanaghan, 2011). The commission, led by Ibrahim Lamorde, seized approximately 925 thousand dollars between January 2013 and August 2015 and was able to secure roughly 117 convictions in 2013 and 126 in 2014. Yusuf (2015) and Obalanye (2015).

Obstacles facing the EFCC in its Battle against Insecurity and Corruption
Numerous obstacles stand in the way of the EFCC's efforts to control or eradicate corruption in Nigeria. The unfavourable legal system and procedures in the nation are one of these challenges. As of 2011, around 2,000 cases remained unresolved due to the legal recourse of halting or delaying proceedings in corruption prosecutions (Nanaghan, 2011). This is true since the commission's work ends with the investigation, arrest, and prosecution of perpetrators. However, the judiciary alone is authorised to hear cases involving corruption and to render judgements on those accused. This includes both accelerated and delayed trials. The EFCC's ability to effectively combat corruption is threatened by the judiciary's protracted delays in resolving cases of corruption that it has placed before it.

The inadequate legal framework that directs the commission's operations is closely tied to this. We regret to inform you that the commission's operations are severely impeded by Nigeria's inadequate anti-graft laws, which operate hand in hand with the country's legal system. The attempt to subordinate the commission's actions (arrest and prosecution) to the Attorney-General of the Federation is arguably the most difficult in the framework of judicial procedure and legal provisions. Should this action be successful, the commission will have become a helpless bulwark, as their actions will be subject to the Attorney-General's orders. The Attorney General of the Federation may establish rules or regulations regarding the execution of any of the responsibilities, powers, or functions of the Commission under the Act, as stated in Section 43 of the EFCC Act, 2004 (EFCC Act, 2004).

Politicians meddling in the commission’s business and operations are another issue facing the EFCC, particularly when prominent figures are detained. Ribadu's accomplishments were widely believed to have been weakened by Olusegun Obasanjo, his principal, interfering excessively (Agbaje, 2011). There is evidence that the EFCC was consistently under pressure from powerful political interests that transcended political boundaries and came from both the legislative and executive branches of government, particularly at the Governor's Forum and the National Assembly and particularly when one of their own was involved. Olusegun Obasanjo's vehement denunciation of the report on the corruption investigation against Chief Olabode George, the NPA's then-Chairman, and other

NPA management members for breaking government regulations pertaining to contract awarding is a prime example.

In addition, the instability of the EFCC Chairperson's position exacerbates Nigeria's corruption problem. In the EFCC Act, 2004, for example, Sections 2(3) and 3(2) specify that:

The President will appoint the head of the commission and the other members of the group; the Senate must confirm the nomination. A member of the committee may be removed at any time by the President for misconduct, incapacity to perform duties of office (due to physical or mental impairments, or for any other reason), or if the President is convinced that the member's removal is in the commission's or the public's best interests (EFCC Act, 2004**).**

This suggests that the commission's top executives are essentially employees of the executive branch and are therefore expected to work and behave in a way that pleases their boss, the president, and exercise caution when it comes to matters involving the legislative branch so they would not be considered ungrateful. This is due to the fact that there is a very significant chance of someone losing his/her job if the president or members of the legislative branch demand that the commission, for example, keep off a certain case and the commission does not comply. A classic example is the dismissal of Farida Warizi from her position as chairman of the EFCC. There was a vigorous campaign to remove her from office, particularly within the House of Representatives and among several very powerful people because her involvement in ex-speaker Dimeji Bankole's case, according to Murphy and Adetutu (2011).

The subject of constitutional immunity, which ensures that some Nigerian public office holders cannot face legal action while holding their positions, is closely linked to the aforementioned. To put it another way, the EFCC lacks the constitutional authority to look into, detain, and prosecute them while they are still in office, regardless of the extent of their actions which may be commonly regarded as corrupt acts. The EFCC's efforts to combat corruption in Nigeria are impeded by this impunity.

The commission's lack of financial autonomy presents another difficulty for it to operate efficiently. The adage "he who pays the piper dictates the tune" becomes useful in this regard. In other words, the commission will create sufficient budgets based on its needs for efficient operations if it has a way to generate its own funds independently of the government. Furthermore, if the EFCC had financial autonomy and was not depending on government, those in the helms of affairs would not use any kind of influence or plot to weaken it.

Furthermore, people have allegedly accused the EFCC of becoming a hunting stick for settling political scores. To put it in another way, the commission occasionally abuses its authority. Some Nigerian citizens, particularly those in the legal profession, share this opinion. Although the EFCC has recorded some respectable successes since its founding (Sunday Sun, 2007), particularly in areas like reducing Advance Fee Fraud (419), Money Laundering, and other related offences, some academics and journalists believe that the agency's operations and efforts to combat corruption in Nigeria have been ineffective. The basis of their argument is that the commission's apparent success in these areas might be attributed to fear rather than reverence. As demonstrated by Keyamo's open letter of August 12, 2007, addressed to the late President Yar'adua regarding the EFCC, it is evident that the agency engages in unlawful arrests or actions beyond its authority (Sunday Sun, 2007).

Conclusion

The politics of colonial Nigeria can be considered as the catalyst to corruption, as the Native Authority system incentivized the native police to evade punishment and take bribes. After the country gained independence, corruption persisted and became more ingrained throughout the numerous military administrations that ruled it. There is no government in the nation that has not been exposed as being flagrantly corrupt up until this point. Beyond anything else you can imagine, corruption has turned Nigeria into a sleeping giant and caused immense harm to the nation. Corruption fuels poverty, increases unemployment, adds to insecurity, and intensifies hostilities. The twin challenges of Nigeria’s development are

insecurity and corruption. While corruption stems from a variety of causes, insecurity is mostly a byproduct of corruption.

First, corruption must be eradicated because it is the root cause of insecurity. Around the world, efforts have been made—and are still being made—to at least minimise it. Nigeria created the EFCC in 2004 following a number of attempts to fight corruption that were either unsuccessful or very unsuccessful. The commission has accomplished a lot in this regard, but there are still a number of obstacles in the way. The effective operation of the commission to rid Nigeria of corruption is hampered by these issues. The stance taken by this article is that the commission's efforts will be more effective in combating the nation's corruption problem if it is not hindered from performing at its best.

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