

An Assessment of Politics in Anti-Corruption Initiative in Nigeria

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<https://doi.org/10.61090/aksujacog.2023.003>

Abstract

This paper critically examined the politics of the anti-corruption initiative to consider its influences on the anti-corruption war in Nigeria. Elite Theory was adopted as a framework while qualitative research design was used. Both primary and secondary data were collected. Primary data made use of Key Informant Interviews (KIIs) while secondary data were obtained from textbooks, newspapers, journals, Human Rights Watch and the Acts of the anti-corruption agencies. A total of twelve (12) KIIs were conducted with the scholars of anti-corruption and the officials of the anti-corruption agencies. The categories of people were purposively selected for the study due to their experience in anti-corruption studies in Nigeria. Data were subjected to thematic and content analyses. The study found that apart from witch-hunting political opponents, politicization turned the anti-corruption agencies into tools for forcing leadership change, brought about frequent changes in the leadership of the anti-corruption agencies, for the acquisition of legitimacy, select prosecution of corruption cases, etc. The paper concluded that politics largely determines what the agencies do, the laws they apply, their direction and legal tools. The paper recommended minimal political influence of politics in the anti-corruption initiative in Nigeria.

Key words: Anti-corruption, Politics, Corruption, Cases, Initiative, Government

Introduction

Recently, the World Bank's push against corruption and establishment of good governance led to the proliferation of anti-corruption agencies across the world (Fjeldstad & Isaken, 2008). Despite the establishment of these Anti-Corruption Agencies (ACAs), the politics of anticorruption still serves as a potent weapon for achieving political objectives (Awopeju, 2021). The influence that politics has played in shaping anti-corruption agencies' roles across the globe has received serious attention from scholars, agencies, anti-corruption stakeholders, civil society organisations, international donors and independent evaluation groups. The reason is that politics has not allowed the government's anti-corruption efforts to yield productive outcomes.

The importance of politics is central in all social activities because it conditions, determines, orders and regulates both the permissible and impermissible within the social structure of any society. An issue in social structure is the anti-corruption initiative by governments because corruption is a serious concern at all levels of governance in the state. It can be said that there can be no successful governance unless there is a serious anti-corruption initiative by the government. Because ACAs are established by the policy of the government, they are tied to politics, thereby making them important policies of the government (Awopeju et. al, 2018). Furthermore, politics directs and shapes the activities of anti-corruption agencies since most "investigations are always subject to political interference" (Manwai, n. d.: 200), especially in some countries where the fight has not been successful. It is impossible to talk about state institutions in a society without talking about the role politics plays. The anti-corruption agencies are institutions of government and they are very sensitive, especially to their mandated function in the political terrain. Studies carried out by Folarin (2009), Fawole (2013) and Odey (2015) have shown that anti-corruption politics is used for witch-hunting political opponents. However, this paper proposes that politics in anti-corruption initiatives is more than witch-hunting. This

is the knowledge gap the paper intends to fill in the literature. The paper examines the issue of politics in the anti-corruption initiative to unearth the manner and direction of government in combating corruption in Nigeria. Apart from the introduction, the remaining sections of this paper are divided into five sections. Section two presents the methodology while section three examines the theoretical framework for the study. Section four examines the politics in anti-corruption initiatives in Nigeria while section five makes a conclusion and recommendations for the study.

Conceptual Clarification

Politics: Politics refers to “any persistent pattern of human relationship that involves, to a significant extent, control, influence, power or authority” (Dahl, 1976: 3). Dahl’s definition emphasizes that the human relationship must be persistent, not transient, for politics to be meaningful. For this paper, Dahl’s view of politics is the adopted operational definition.

Anti-Corruption Initiative: Anti-corruption initiative is a measure intended to minimize and combat the recurrence of corruption to ensure its discontinuation. In the context of this work, the anti-corruption initiative is a new reform for addressing the problem of corruption in Nigeria by the government.

Corruption: The World Bank (1997) defines corruption as the abuse of public power for private gains. The idea of the World Bank’s definition is hereby adopted because of its emphasis on the nature of corruption.

Methodology

Data were obtained from primary and secondary sources. The primary data were obtained through Key Informant Interviews (KIIs) with twelve participants who are scholars of anti-corruption (4) and the anti-corruption agencies’ officials, Independent Corrupt Practices and Other Related Offences Commission, ICPC (4) and Economic and Financial Crimes Commission (EFCC) (4). The participants in the KIIs were purposively selected based on their extensive research and experience in anti-corruption studies and initiatives in Nigeria. The secondary data were obtained from textbooks, journals, newspapers, magazines, etc. The data collated for the study were analysed using qualitative techniques. Content analysis, ethnographic summaries and quotations were used for the analysis. Besides, ethical consideration was considered for the participants’ anonymity in the KII sessions.

Theoretical Framework

The study is anchored in the elite theory of Power. The exposition of elite theory is found in the works of Gaetano Mosca, Vilfredo Pareto, Robert Michels, C. Wright Mills and James Burnham (Akindele et.al, 2000). The theory draws attention to the fact that political power resides in a few in society who are leaders of the majority. Behind the diverse facades of government, even in a democratic society, power is always confined to a ruling few. The theory states that all societies are divided into two main groups: the ruling and the ruled. In other words, societies are divided into the “few” who hold power and rule, and the many who are ruled. The theory is relevant to this study because those that shape the anti-corruption initiative of the state are the elite that wields power in the state. Besides, the theory finds a scientific explanation that the majority of the existing resources are (economical, intellectual, cultural, etc.) in the hands of a small group of individuals, who use them to exercise power over the rest of the population. Because the minority exercises power, they seize the opportunity to manipulate the anti-corruption initiative to siphon the resources of the state.

Politics in Anti-Corruption Initiative in Nigeria

Aside from the significant role played by politics in the structure of any society, studies have revealed its roles in shaping and exercising anti-corruption initiatives in Nigeria. Most of the issues are critically examined in this section.

First, through politics, the anti-corruption initiative is being used to witch-hunt political opponents (Folarin, 2009; Odey, 2015; Fawole, 2013). In other words, they are tools employed by the government to intimidate political opponents. For instance, during President Obasanjo's regime, the EFCC was employed to witch-hunt his political rivals to settle political scores. Despite his Vice-President (Alhaji Atiku Abubakar) being in the Peoples' Democratic Party (PDP), Obasanjo used the EFCC to stop him to contest the 2007 election. Through a court ruling, Abubakar was able to contest the election under the platform of the Action Congress. To substantiate this further, Obiyan (2013: 99) states that "the investigation of financial crime activities is no longer the focus of the EFCC because it is now focusing on the President's political rivals, thus becoming an instrument of oppression and hostility. Sincerely, EFCC is a division of the People Democratic Party." Also, Fawole (2013) affirms that the EFCC was used under Obasanjo to settle political scores with the people that opposed his third-term bid. He posited that:

The President's objective of ridding the nation's politics and public service of corruption and corrupt practices is being pursued by EFCC. Even though initially widely acclaimed as an effective anti-corruption agency, later developments however seemed to indicate that it degenerated into the government's handy tool for settling political scores with the perceived political opponents and foes of the President, especially those who opposed his failed tenure elongation bid (p. 28). Igwilo (2009: 151) supports the claim that the EFCC was used against the enemies of then-President Obasanjo. According to him, "the EFCC was used as a weapon against the enemies of the government and political opponents as it was witnessed in the general election of 2007 in Nigeria.

Furthermore, the Buhari administration used the EFCC to pursue its political enemies, most especially the PDP members (Adeniran, 2015, The Guardian, February 11, 2016). For instance, Senator Musiliu Obanikoro, Senator Iyiola Omisore, Orji Uzor Kalu, Chimaroke Nnamani, etc., were accused of corruption by the EFCC. Orji Uzor Kalu and Chimaroke Nnamani have been exonerated and the corruption cases against them have been dropped because they defected to the All Progress Congress (APC) (The Premium Times, 2018). Also, Otunba Iyiola Omisore, a former PDP member, defected to the Social Democratic Party (SDP) and he was later absolved of his corruption case when he later aligned with the APC during the inconclusive gubernatorial election in Osun State. With the alliance he formed with the APC, the election was later won by the APC (The Premium Times, 2018).

Aliyu (2016) further corroborates that EFCC made a lot of politically motivated arrests under the Buhari administration under Ibrahim Magu, to humiliate political opponents. Aliyu (2016: 88) posits that "many cabinet members of the current government are shielded from prosecution." This is also confirmed by Adeniran (2015) who asserts that though the EFCC levelled corruption practices and misappropriation of funds against APC members who were former governors of Rivers State and Lagos State, Rotimi Amaechi and Babatunde Fashola, respectively, and Dr. Kayode Fayemi, former governor of Ekiti State, the anti-graft agencies never invited them for any interrogation.

To further substantiate this, the State Department of the United States in its report in 2017 quarried that the EFCC lacks professionalism and political neutrality in enforcing its Act. The Report states that several of the apprehensions were done to incriminate political figures in the opposing party of the president and that the acting chairman of the EFCC had been so close to the president that instructions on strategies towards attacking the states being governed by the PDP governors were directly given to the acting EFCC chairman (The Nigerian Voice, 2018)

One of the scholars interviewed believed that politicians use these agencies for eliminating political rivals. According to him:

...it is a way of eliminating potential political rivals. All civilian regimes used it except Jonathan's administration. Obasanjo and Buhari did it. It is done in such a way as to hang a corruption case on your neck; and when they hang a corruption case on your neck, it distracts you and you will start fighting for your freedom. This will make you politically irrelevant (KII/Anti-corruption Scholar/Ibadan/2018). To compound the problem of using these anti-corruption institutions to run after political enemies, some

serving judges were arrested by the Department of State, Security (DSS) especially at odd hours, while their family members and workers were humiliated. For example, three judges were arrested by the DSS in 2016 for corruption (Nwankama, 2016).

President Buhari directed the EFCC to harass Onnoghen's domestic workers, while the Justice himself was forced to resign (Adetayo, 2019). Adetayo (2019: 2) posited further that:

His workers were threatened on his farm and his lawyers were harassed to move forward with their plot to remove him from office before 11th February 2019. Besides, the EFCC also purchased a Magistrate Court to detain the Chief Justice of Nigeria (CJN) for 14 days.

Based on the foregoing, the presidency's continual interference in the affairs of EFCC created the impression that combating of financial crimes and corruption in Nigeria has been the major role of the presidency (Fawole, 2013). The implication of this is that once a person is being prosecuted for a corruption case, and he or she has political influence, the Attorney-General of the Federation (AGF) and Minister of Justice can stop the case from further prosecution and nobody can query him. Aiyede (2014: 123) further corroborates this when he posits that "the interference may not come directly from the President. A prime instrument is the AGF and Minister of Justice office, an appointee of the President." Aiyede's assertion indicates the excessive powers accorded to the AGF and Minister of Justice despite the granting of these anti-corruption institutions independence by their Acts. For example, Section 10 of the 2004 EFCC Act mandates the Commission to report its investigations on serious or complex cases to the AGF before commencing prosecution (FRN, EFCC Act, 2004). Therefore, every prosecution that goes to court by the agencies in charge of anti-corruption practices is delegated to them as the business of the AGF and Minister of Justice. This means that the agencies in charge of anti-corruption practices are still under undue political intrusion while carrying out their duties as anti-corruption agencies in Nigeria.

Also, the Act that established ICPC allows its operational independence in fighting corruption. For instance, Section 3 (14) of the ICPC Act 2000 ascertains that the Commission should be allowed to operate independently without any form of domination or control from any person or authority, yet there is interference in the activities of the ICPC (FRN, ICPC Act, 2000). Studies conducted by Taiwo (2014), Human Rights Watch (HRW) (2011) and Igbintovia (2014) corroborate that political interference influences how the anti-corruption agencies combat corruption in Nigeria. The HRW (2011:16) posits that "the anti-corruption agency's Chairman can't act beyond the President's wish, or else he would be dismissed immediately." For instance, Mallam Ribadu was removed by Yar'Adua in Ibori's case (Aiyede, 2014). Ribadu reported that the interference of Aondoakaa in the prosecution of state governors by the EFCC led to the discontinuation of the hearings and trials (HRW, 2011). In the same manner, the Goodluck Jonathan administration dismissed Farida Waziri for alleging that the EFCC investigations were discriminatory because of the unpleasant issue regarding the prosecution of the then Attorney-General and Minister of Justice, Muhammed Bello Adoke (Vanguard, 2011). In a KII session conducted with the official of the ICPC in Abuja, he asserted that "politics affects anti-corruption crusade. I will not say more than that" (KII/M/ICPC Official/Abuja/2018). Another round of KII conducted with another official of the Commission revealed that politics does not allow the agency to effectively perform its duties against corruption. He believed that combating corruption is not about witch-hunting political enemies or settling political scores. In his words:

We have had instances whereby politicians will say oh, these agencies have been set against us. We don't belong to the political party in power at the moment and they are just witch-hunting the opposition of the government in power. They are set by the President and so on. And, when we always looked at issues objectively, politics does not disturb us. The critical question is this; when people complained that it is witch-hunting; we ask from the fact of the matter; have you done this? Have you done that? Does evidence show this has been done or not? If these are positive, then, we will forget about

politics; it becomes objective. And based on that we see, we take you to court (KII/M/ICPC Official/Abuja/2018).

He believed that people under investigation and prosecution for corruption cases are invited to the ICPC's office to defend themselves; influence does not come in. It must be based on objectivity. He posited further:

Mind you, they always want to influence, but they can always intervene based on the extent we allow them to come in. But primarily, it is important that in discharging the responsibility of this office, it is done with objectivity. Even, the politicians to be investigated, when they see that we are objective and that they are culpable, they will admit "I have done this; I have done that; these people have been fair". And when the court says you are guilty, you would have no basis to say that they are witch-hunting you (KII/M/ICPC Official/Abuja/2018).

Also, EFCC has complicated the witch-hunting of political opponents by detaining the government's political enemies for more than 24 hours against the law's provisions. A former Governor of Ekiti State was detained for two weeks for sharing in the fund disbursed by Dasuki, a former National Security Adviser under President Jonathan (Ogundele et. al., 2018). The Constitution specifies the detention period for a criminal to be within twenty-four hours before being charged to court (Section 53 and 56 of the FRN, 1999). Detaining the former governor beyond twenty-four hours was a disregard for the rule of law. The Constitution of Nigeria states that any arrested or detained person without notice of the reason(s) for arrest or detention within 24 hours must be compensated and the concerned authority has to apologise to the detained person publicly (FRN, 1999). The Commission often neglects these constitutional provisions simply because of the government's backup.

Second, through politics, anti-corruption agencies are being used as tools for forcing a leadership change in some states through perverse impeachment (Obiyan, 2013). The EFCC's roles in the impeachment process across the states have been the major inhibitor to the impeachment crisis in the country. The impeachment notice served on the former Bayelsa State Governor, Chief Alamiyeseigha, was signed by the State House of Assembly at the EFCC office in Lagos (Obiyan, 2013). The legislators signed the impeachment notice because they were under similar investigation for corruption cases (Obiyan, 2013). The EFCC blackmailed and intimidated the legislators to preserve the impeachment process.

Also, in Ekiti State, the EFCC indicted Governor Ayo Fayose and members of the Ekiti State House of Assembly of corruption (Guardian, 2006). A vote of no confidence was passed by the legislators on Governor Fayose. "Following inducement and blackmail by the EFCC, they made a *volte-face*, and began an impeachment process against the governor" (Obiyan, 2013: 98). The legislators refused to sign the impeachment notice and were kept in detention by the EFCC.

Similarly, harassment, blackmail and intimidation transpired in Plateau State. Almost all the State House of Assembly members were under arrest by the EFCC for some time (Obiyan, 2013), with six legislators being guarded by the EFCC and state security operatives. They were kept in Abuja and were taken to Jos under heavy security for special sitting aimed at unseating the Governor (Eze and Shoboyo, 2006; Abdulsalami, 2006). Obiyan (2013) affirmed that President Obasanjo was privy to the control and all impeachment processes of the EFCC and other security agencies during his administration. According to him:

The actions of anti-graft agencies that pertain to or have direct implications for politics are usually authorized by the President. It is quite doubtful that the EFCC will engage in a mission to impeach the Governor of a state without the backing and approval of the state's legislature. Indeed, not a few Nigerians believe that the President acted through the EFCC. The EFCC is seen as a political instrument used by the President.

Third, the politicisation of the anti-graft agencies resulted in incessant changes in the leadership structures of the agencies (Aiyede, 2014). The ICPC's and the EFCC's leaders were removed by former

presidents on different occasions, suggesting that the agencies' leaders are not secured during their tenure. Table 1 presents the evidence:

Table 1: Past and Present Chairmen of Anti-Corruption Institutions in Nigeria

S/N	Agency	Agency Head	Tenure	Head of State
1	EFCC	Mallam Nuhu Ribadu Farida Waziri Ibrahim Lamorde Ibrahim Magu Abdulrasheed Bawa	2003-June5, 2008 June5, 2008-November 23, 2011 November 23, 2011-February, 15, 2012 (Acting) February 15, 2012-November 9, 2015 – Till Date November 9, 2015-2021` 24 th February, 2021	Olusegun Obasanjo Umaru Yar'Adua Goodluck Jonathan Muhammadu Buhari Muhammadu Buhari
2	ICPC	Justice Mustapha Akanbi Justice Emmanuel Ayoola Prof. Uriah Angulu Dr. Rose Anbang-Wushishi Barrister Abdullahi Bako Barrister Ekpo Nta Prof. Bolaji Owasanoye	2000-2005 2005-2010 2010-March 2011 March 2011-Agust 2011 August 2011-November, 2011 November 2011-June 2012 June 2012-February 2019 4th February 2019- Till Date	Olusegun Obasanjo Olusegun Obasanjo Goodluck Jonathan Goodluck Jonathan

Source: Author's Compilation (2016)

Table 1 suggests variance in the terms spent by various leaders of anti-graft agencies.' This is caused by frequent changes in the leadership structure of agencies due to the political influence on their affairs.

The frequent removal was worsened by Section 3 (2) of the EFCC Act because it does not indicate the security of tenure for the EFCC's leader. The Act states *inter alia* that the President has the legal right to dismiss the Commission's member if the President is certain that he or she is not working in harmony with the Commission's goal or if the public so desires that the member discontinues (The FRN, EFCC Act, 2002). Suberu (2018) also posits that because the President has the legal right to dismiss any member at any time, presidential impunity creates common scepticism concerning the objectivity and reliability of the anti-corruption agencies' activities.

What determines the Commission or public's interest is probably the whims and caprices of the Presidents. When President feels any of the agencies' leaders are unyielding to instructions, he may desire to remove the Chairman of the agency (Aiyede, 2014). For instance, President Yar'Adua removed Ribadu because of Ibori's case. Ibori played a major role in the electioneering processes that brought Yar'Adua to power in May 2007. Despite the 170-count charges against Ibori during his eight-year term in Delta State, Yar'Adua was shielding him because of his role in electing him as the President. It was not up to two weeks after Ibori was indicted of corruption cases by EFCC that Ribadu was given temporary relief from his position, and was sent on a compulsory ten-month training at Nigeria Institute for Policy and Strategic Studies (NIPSS) at Kuru. After the sudden removal of Ribadu, he was downgraded by two ranks by the Police Service Commission (Ebor, 2008). After the demise of President Yar'Adua, the same form of shielding continued even during Jonathan's tenure. Unluckily Ibori, who was apprehended in United Arab Emirates (UAE) and tried in London by Metropolitan Police and sent to jail for his corrupt act (Metropolitan Police London, 2011).

Fourth, anti-corruption politics is a weapon used by political leaders to acquire legitimacy (Suberu, 2018). The government always uses the prosecution of corruption cases for legitimacy. Recently, Governments shape anti-corruption crusades to acquire legitimacy. Once a regime declares an anti-corruption war, people give their moral support to such a government. Despite the democratic nature of President Obasanjo's government in 1999, people still believed in the 1993 June 12 election adjudged to be the freest and fairest election ever had in Nigeria. Nigerians still doubted the newly democratic regime that was being ushered in by the military. After the 1999 General Elections that

ushered in the fourth republic, Nigerians are still clamouring for June 12 twenty-four years after the annulment (Guardian, June 12, 2017).

Despite the challenge of the June 12, 1993 election, Obasanjo made known his readiness to fight corruption. He stated that his goal was to put corruption to a stop in Nigeria. To achieve this purpose, serious anti-corruption policies were put in place to infuse strong moral and ethical values in the people” (FRN, NEEDS Document, 2004: 59). This attempt within the Nigeria democratic space was pleasing to the people. Also, Muhammadu Buhari’s words on his inauguration day on May 29, 2015, showed his readiness for fighting corruption. He said, “I am for nobody and I am for everybody” (Punch Newspaper, 2015, May 30). President Buhari’s administration's priority to combat corruption made his regime acquire legitimacy from the Nigerian citizens unlike Jonathan’s administration whose disposition to corruption was weak (Awopeju, 2023). His “statement that stealing is not corruption” (Live Television chat with President Jonathan, 2015), draws attention to his perspective on corruption. Little wonder, his tolerance of corruption reflected how anticorruption activities were being carried out, thereby fueling other vices (Ayoade, 2017).

An anti-corruption scholar in a KII session stated thus:

Regimes that are unpopular use it to legitimize themselves because the mere declaration of anti-corruption as your major policy tends to buy you support. Look at the Buhari administration, if you remove the anti-corruption noise, the regime is nothing. His legitimacy was built around that. Even, the most corrupt person, when he gets to power and he says he wants to fight corruption as a matter of priority, the regime becomes legitimate...Jonathan was criticized because he did not make a strong statement. Even, his body language did not fight corruption or even serious about it (KII/M/Anti-Corruption Scholar/Abuja/2018).

At the international level, the government uses anti-corruption agencies to attract the attention of the international community (acquire legitimacy). For instance, “the politics of establishing the ICPC and the EFCC during Obasanjo’s years was to impress Nigerians and the international community (KII/M/Anti-Corruption Scholar/Abuja/2018), thus he received global backing after indicating his intention to fight corruption. For instance, Nigeria’s debt was cancelled and her name was removed from the Financial Action Task Force’s list of Non-Cooperative Countries or Territories (NCCTs). Though stringent conditions were attached, the removal was successful through the cooperation of the international community based on the intended fight against corruption.

Adebanwi (2010:32) corroborates this by saying that “Obasanjo was asked to work with the FATF in designing the requirements for Nigeria to be de-listed from NCCTs.” Also, Nigeria’s \$ 18 billion debts was cancelled by the International Monetary Fund (IMF) because of the government’s anti-corruption agenda. Buhari administration also embarked on an anti-corruption campaign with the African Union (AU) to emphasize the fighting against corruption in African countries to garner legitimacy and for other African countries to emulate.

Fifth, politics is also used for selecting and prosecuting corruption cases (Usman, 2017). The executive, most times, through politics selects the number of corruption cases for anti-corruption agencies to prosecute. This discriminatory selection and manner of prosecution in which well-known persons to the government are barely prosecuted have affected the EFCC's performance, thus making people lose confidence in the EFCC’s fight against corruption (Usman, 2017) and gradually influencing the quality of its performance (HRW, 2008: 37). Many cases were unnecessarily postponed or disrupted because of the political plan of President Obasanjo (HRW, 2008).

Some corruption cases which took place in 2017 brought a setback to the agencies in charge of anti-corruption cases in Nigeria. These two agencies of the government recruited sons, daughters and relatives of government officials with impunity, thus indicating the politics in selecting corruption cases for anti-corruption agencies to prosecute during the Buhari administration. Also, Maikanti Baru, Group Managing Director of Nigeria National Petroleum Corporation and Mr Abba Kyari, the Chief of Staff to the President were accused of a \$24 billion contract scam in the NNPC. A letter was written to the

President accusing them of the contract scam and an internal dispute settlement was adopted to settle the scandal. Furthermore, a Senator accused Mr Ibrahim Idris (IGP) of embezzling ₦10 billion monthly, a fund belonging to the police. The money was meant to be for security services provided by the Nigeria Police Force to private companies and citizens. The case was never investigated. All these are corruption cases not prosecuted by the administration in power (Awopeju, 2021).

Sixth, politics is being used as a means of negotiating in the process of prosecuting people involved in corruption cases (Emenyonu, 2015). This is done through “plea bargain”. Regarding Magu’s arrest, the plea bargain which requires that any arrested person should pay a certain amount of money before being released was introduced (Aliyu, 2016). In this process (Plea bargain), the prosecutor may (i) accept and deliberate on a bargain for an appeal from an offender, either on his behalf or directly, and (ii) propose an appeal to an offender (Emenyonu, 2015). Emenyonu (2015) enumerates four ingredients of politics as follows: (1) the offender is charged. In some cases, some organisations initiate settlement moves as a prelude to being charged. (2) The offenders plead guilty, (3) the offenders agree to pay monetary fines among other terms, and (4) the term of the agreement is kept confidential, subject to exceptions woven into agreement. The intention of using plea bargains is to ensure the person involved in a corrupt act goes free. This mechanism has not helped combat corruption because the amount recovered through the process may not be commensurate with the actual amount embezzled. Those people that are involved in plea bargaining are politicians, people in high places in government and private individuals. These people have influence and are well-connected with the government. So, they are given mild punishments for committed offences.

The implication of this, according to Usman (2015) in the anti-corruption agencies’ operations is that plea bargain “erodes public confidence in our public prosecution.” For example, a 5-year jail term was given to Tafa Balogun for embezzling ₦10 billion. By appealing, he was able to spend six months in jail because he was able to give up some of the funds (HRW, 2011). Also, Cecelia Ibru was charged with 25-count charges but later reduced to 3 offences because she gave loans above her credit limits. She gave a fake account and was able to give out loans up to ₦20 billion without due process. Through a plea bargain with the prosecution, she was sentenced to only six months on October 8, 2010, by Justice Dan Abutu of the Federal High Court. She lost 94 choices of properties in Dubai, the United States and Nigeria. She also lost her shares in 100 companies; “all valued at ₦191.4 billion as part of the plea bargain deal” (Awopeju, 2021: 174). On January 28, 2013, John Yakubu Yesufu, a former Deputy Director of Police Pension Office was also arraigned in Abuja High Court on a 20-count charge for diverting ₦32.8 billion Police pension funds into his account. Through a plea bargain, Justice Abubakar Talba sentenced him to 2-year imprisonment on each of the counts or with a fine of ₦250,000.00 for each count. He was instructed to surrender 32 landed properties and ₦325.187 million to the Federal Government (Usman, 2015).

It should be noted that the practice of plea bargaining to recover looted funds suggests that the amount recovered is not up to 80% of the money stolen and the penalty is mild compared to the looted amount. Usman (2015: 3) states that it will profit society a lot if a considerable percentage of the stolen funds could be taken back to the reserves of public. The politics of plea bargain frustrates the anti-corruption agencies’ prosecution efforts or at times the conviction of the offenders.

Seventh, politics allocates resources to the agencies in charge of anti-corruption activities (Owasanye, 2015). The effectiveness of these anti-corruption institutions rests on proper funding. As the anti-corruption institution is one of the components of the state agencies, resources are allocated to various agencies in terms of who gets what, when and how? What proportion of resources should go to a particular agency? What anti-corruption institution gets the larger share of the resources, and which institution gets the smaller share of the resources? Why should the allocation of a particular anti-corruption institution be increased and why should it be reduced? Or why are anti-corruption institutions starved of funds? These questions revolve around the issue of politics. Owasanye’s (2015) study on the government’s role in successful anti-corruption fight in Nigeria revealed that anti-corruption institutions

are presently not well-funded nor are their operations well-coordinated due to the role of politics. Emenyonu (2015) noted this about the Ibori's case:

In 2012, the Crown Metropolitan Police of the United Kingdom (UK) expended an estimated 14 million pounds to investigate and prosecute Ibori's case in the UK based on information supplied by the EFCC whereas the entire budget of the EFCC for the 2012 fiscal year stood at a paltry ₦15 billion (47 million pounds) (Emenyonu, 2015).

This simply means that the amount the UK government spent concerning Ibori James' prosecution is about 35 per cent of the EFCC budget, an agency that is required by law to investigate 36 states, 774 local governments and a host of Ministries, Departments and Agencies, in addition to the private sector.

Eighth, improper practice of politics has made anti-corruption institutions ineffective because of the lack of political will and a high tolerance for corruption by the government (Enweremadu, 2012). Key legislations such as whistleblower, witness prosecution regimes, forfeiture of proceeds of crimes and the time-bound criminal justice administration have not been encouraged by the government (Awopeju, 2021). The Whistle Blowing Policy which is meant to protect against any occupational detriment or reprisals of a person who discloses corrupt practices is still pending at the National Assembly. Okauru cited by Agbamuche- Mbu (2015) argues that whistle-blowing in the fight against corruption is a means of promoting accountability and human rights in a democracy; the reason is that it enables citizens to have awareness of the reporting strategies as well as gives necessary reports without any intimidation from anyone.

Despite the importance of the intended policy to detect and deter corruption in Nigeria, it remains unattended to by the National Assembly. Asset Forfeiture Bill is meant for checkmating public officers' activities regarding the diversion of the nation's funds for personal or private use is still undecided at the National Assembly, thus discouraging enabling legislation of the anti-corruption agencies. Most Nigerians are afraid to report corruption cases especially the high profile cases due to the fear of attack. In other words, the witness prosecution programme is absent in combating anti-corruption practices in Nigeria. This has not only affected the citizens but also the agencies involved in combating corruption in the country. For instance, the EFCC report stated that not less than 19 key officials of the agency have been assassinated in 2013 due to the high-risk, low-protective nature of their operations and the desperation of some in the subjects of investigation (Emenyonu, 2015). Unfortunately, the policies which are integral to the fight against corruption and which make anti-corruption agencies proactive are not in effect in Nigeria, thus making the anti-corruption agencies to be slack in their operations.

Conclusion and Recommendations

Having examined the role politics played in the anti-corruption initiative, it can be deduced that anti-corruption and politics are closely tied. Politics largely determines the agencies' operations and legal tools. However, these roles of politics have not been helpful as examined in this paper. Therefore, to ensure that the anti-corruption initiative fulfils its purpose, the following recommendations are made vis-à-vis politics in Nigeria:

Politics should play a minimal role in anti-corruption agenda and operations. This will make the anti-corruption agencies wield their impacts on people culpable of corruption so that they can be prosecuted. Strong anti-corruption agencies should be entrenched and instituted to fight corruption. This is possible by ensuring that they are adequately empowered as well as insulated from political influence in Nigeria.

Although political will is a requirement for good anti-corruption institutions to be successful, it should be supported by strong people's will. The war against corruption should be citizenry-based while any government that uses anti-corruption agencies to settle political scores should be removed through popular sovereignty in subsequent elections in Nigeria. The National Assembly of Nigeria should amend Section 150 of the 1999 Constitution. The reason is that this Section makes the Attorney-General's office and Minister of Justice reside in the same individual. This makes the AGF unduly interfere with the undertakings of anti-corruption agencies in Nigeria.

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