

From Graft to Governance: Evaluating the EFCC's Role in Nigeria's Anti-Corruption Crusade

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Abstract

Political corruption has been an enduring challenge within Nigeria's democratic administrations since 1999, eroding effective governance and undermining accountability. In a bold response, Nigeria has taken decisive action. The establishment of the Independent Corrupt Practices and Other Related Offences Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC) stands as a testament to the country's unwavering commitment to combatting this pervasive issue. This study, however, critically examines the EFCC's efficiency and role in combating political corruption and promoting good governance in Nigeria amid the surge in corruption. The research focused on two objectives: assessing the EFCC's anti-corruption activities, roles, and encountered obstacles, and examining its influence on Nigerian governance. A qualitative approach was employed, analyzing secondary data from government documents and reports to evaluate the EFCC's performance in deterring corruption, promoting transparency, accountability, and institutional reforms. In addition, the study was guided by an Institutional theoretical framework. The study concludes that the EFCC's efforts in combating corruption and promoting good governance have been hampered by several factors which include inadequate implementation of anti-graft policies, institutional capacity constraints, undue political interference, and the persistence of corruption networks. To address these

challenges, continuous efforts are recommended to strengthen anti-corruption measures. Measures such as bolstering the EFCC's operational capabilities through increased funding to withstand political interference and fostering international cooperation are recommended. A precise interpretation of the EFCC's role should be adequately specified for the agency to act within its legal framework.

Keywords: Corruption, governance, and anti-corruption agencies.

Introduction

Nigeria may still be recognized as Africa's giant due to its massive population growth, rather than its socioeconomic and political buoyancy, which has been substantially hampered by systematic corruption engineered by decades of incompetent leadership that has hindered sustainable development. To combat corruption in Nigeria, several administrations have established and implemented several anti-graft agencies, including the Independent Corrupt Practices and Other Related Offences Commission (ICPC) in the year 2000 and the Economic and Financial Crimes Commission (EFCC) in 2003. As a result, this study questions how effective the EFCC has been as the federal government's highest anti-graft instrument in battling persistent corruption and supporting good governance in Nigeria.

Over the years governance in Nigeria has been characterized largely by ineffectiveness and inefficiency. This has

been evidenced by the bad performance of many governments owned parastatals in Nigeria. Similarly, Etanbi, pointed out that corruption has constituted the large cause of many socio-economic and political problems limiting the attainment of good governance, national integration and democratic stability in Nigeria.¹ Olorok further opined that a greater chunk of the national treasury mapped for developmental projects across the country has been lost to corruption with over “800 billion dollars” lost between (1999-2019) making Nigeria ranked 150 out of 180 countries in the year 2022 by the Corruption Perception Index (CPI) released by Transparency International.² Adegoke, categorically stated that “corruption is found and practised everywhere in Nigeria and it is entrenched in nearly all sections of the society with many people deeply involved in it”.³ This reflects the level of government inefficiency as well as questions the roles of various anti-graft agencies such as the EFCC in fighting corruption in Nigeria. This has weakened governments’ efforts to provide suitable welfare and accountability to all citizens as the resources to do this are in the hands of very few of the populace.⁴

The performance of the Economic and Financial Crimes Commission (EFCC) in Nigeria has been subject to scrutiny and analysis. Ayodele highlights the importance of strengthening anti-corruption authorities to enhance their effectiveness.⁵ Onyema et al. present a contrasting view, acknowledging the EFCC's effectiveness despite criticisms of inefficiency.⁶ However, Bello and Cosmas emphasize the detrimental impact of political interference on the EFCC's anti-corruption efforts.⁷ This is evident through the suspensions of past EFCC chairmen, including Nuhu Ribadu, who was suspended in 2007 for perceived political reasons and lack of due process. Ibrahim Lamorde, who succeeded Ribadu, faced suspension in 2015 due to allegations of financial impropriety and mishandling of recovered funds. Ibrahim Magu, who served as the acting chairman from 2015 to 2020, was suspended in 2020 following allegations of corruption and abuse of office, while the current EFCC chairman

Abdulasheed Bawa is currently suspended over alleged corruption in office. Despite the EFCC's successes in prosecuting corruption cases, Bello and Cosmas note that fraudulent activities continue to persist.⁸ Aganga highlights the EFCC's jurisdiction and powers, including the initiation of corruption charges and ensuring criminal trials.⁹ Additionally, Bello-Imam reveals the indictment of governors.¹⁰ Through a comprehensive examination, this study aims to assess the challenges faced by the EFCC, such as political interference and internal corruption, and evaluate their impact on governance.

This study, therefore, aims to first, critically assess the EFCC's anti-corruption activities and roles and identify the obstacles and constraints encountered by the agency. Secondly, the study examines the EFCC's influence on Nigerian governance, analyzing whether the commission's initiatives resulted in demonstrable advances in public administration, the rule of law, and public faith in government institutions. The importance of this study rests in its investigation of the EFCC's success in battling corruption and advancing good governance in Nigeria, answering the urgent need for an in-depth assessment of the commission's impact. To begin, this study critically assesses the EFCC's anti-corruption actions and roles, providing insights into the agency's strengths and flaws. This paper contributes to a better understanding of the issues faced by anti-corruption agencies in Nigeria by outlining the hurdles and constraints experienced by the EFCC and provides helpful ideas for strengthening their efficiency. Second, the study looks into the EFCC's influence on Nigerian governance. This study's significance extends to the broader literature on anti-corruption measures in developing countries. The insights gathered by investigating the EFCC's role in Nigeria's anti-corruption crusade provide useful lessons and recommendations that can improve the design and execution of effective anti-corruption policies in Nigeria and other developing countries. Finally, the study's results and recommendations have

practical significance for policymakers, government officials, and stakeholders participating in anti-corruption activities. This research seeks to guide future policy decisions, boost the fight against corruption, and promote good governance in Nigeria and beyond by shining a light on the EFCC's performance and impact on governance.

Conceptual Clarification

Corruption

Corruption, in any form, denotes criminality, fraud, and illegitimacy. Originally from the Latin word “corrumpo” to break, and to lose value,” corruption has become very synonymous with the Nigerian political system. opined that corruption is an ethical dilemma based on moral principles and behaviour.¹¹ In the opinion of Ekiyor, “corruption is the illegal use of official power or influence by a government official either to enrich himself or further his course and/or any other person at the expense of the public, in violation of his oath of office and/or contrary to the conventions or laws in force”.¹² Similarly, Corruption is the “effort to secure wealth or power through illegal means, private gain at public expense, or misuse of public 51 power for private benefit”.¹³ In relating the height of corruption in Nigeria, the Independent Corrupt Practices and Other Related Offences Commission (ICPC) Act 2000 deemed corruption as a multifaceted phenomenon ranging from the providing and receiving of bribes to various types of fraudulent actions. Corruption has become highly systematic in Nigeria, notably in several government ministries and parastatals, raising significant concerns about the role of the EFCC in combating corruption in Nigeria.

Governance

World Bank defined governance as “How power is exercised in the management of a country’s economic and social resources for development” Governance, especially in the context of Nigeria’s high level of corruption, refers to the management of resources by the government and its consolidating units comprising of state, non-

state actors and multinational companies.¹⁴ Hassner sees governance as “the processes and structures by which authority in a country is exercised, including the formulation of policy and its translation into legal and regulatory frameworks, as well as the implementation and enforcement of such frameworks.”¹⁵ In the fight against the menace of corruption, particularly the thwarting of effective governance through the looting of public funds, the Nigerian government reawakened the EFCC, giving it the mandate to investigate and prosecute any public officer holder found to have coveted or diverted public funds, but critics have suggested that the action may have been politically motivated.

Anti-graft Agencies.

Anti-corruption agencies, such as the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and Other Related Offences Commission (ICPC), have been charged by the Nigerian government as specialized entities designed to combat corruption.¹⁶ Equally, Ezejelue opined that anti-corruption agencies in Nigeria are 'specialized governmental institutions established with the primary mandate of combating corruption through investigation, prosecution, and asset recovery.¹⁷ However, this rises a critical question as to how effective and Independent the EFCC is drawing from the fact that the agency is answerable to a government deemed very corrupt by Transparency International.

Anti-corruption efforts in Nigeria.

The EFCC’s jurisdiction extends beyond investigation, encompassing the initiation of corruption charges and ensuring accused individuals face criminal trials in court.¹⁸ The agency has received numerous petitions and conducted thorough investigations, leading to the indictment of governors and high-profile officials implicated in corruption.¹⁹ Bello and Cosmas acknowledge the important role played by the EFCC in reducing crime and bribery in government institutions.²⁰ However, they also highlight the negative impact of

illegitimate political interference on the EFCC's effectiveness. They urge the Nigerian government to provide the EFCC with the necessary independence to carry out its duties.

Various studies, including those by Daniel, Efenyumi, and Akinpelu, underline the EFCC's successes in prosecuting individuals involved in money laundering, handling tax cases, combating oil pipeline vandalism, and addressing economic crimes.²¹ High-profile cases, such as the recovery of significant amounts of assets and money from corrupt officials and their associates, demonstrate the EFCC's effectiveness. Despite the EFCC's efforts, corruption persists in Nigeria. Bello and Cosmas emphasize that fraudulent actions continue to permeate the political environment, hindering the EFCC's progress.²²

Theory and Methodology

This study is anchored on the Institutional theory developed by sociologists John W. Meyer and Brian Rowan in 1977. This theory focuses on understanding how formal and informal rules, norms, and structures influence organizational behaviour and outcomes. In the context of this study, the EFCC operates within a specific institutional environment and is influenced by various external factors, such as anti-graft policies, political interference, and corruption networks. By applying the Institutional Theory, the study examines how the EFCC's effectiveness in combating political corruption and promoting good governance is shaped by the broader institutional context in Nigeria. It further explores how formal rules (anti-corruption policies, legal framework) and informal norms (corruption networks, political interference) impact the EFCC's operations, its capacity to deter corruption, and its ability to promote transparency, accountability, and institutional reforms. Overall, the Institutional Theory offers a comprehensive framework to examine the EFCC's efficiency and role in combating political corruption and promoting good

governance, considering the broader institutional factors that shape its operations and outcomes.

The research design for this study followed a qualitative approach, aimed to provide a nuanced understanding of the key role of the EFCC in Nigeria's anti-corruption crusade and its implications for governance. This approach allowed for an in-depth exploration of the EFCC's anti-corruption activities and their impact on the Nigerian context. By employing a qualitative methodology, the study captured the complexities and nuances of the EFCC's initiatives and the challenges faced by the agency. In terms of data collection, this study relied on secondary sources such as reports, scholarly articles, and official documents. These sources offered a wealth of information and analysis on the EFCC's anti-corruption efforts, providing a comprehensive overview of the agency's initiatives, challenges, and outcomes. By drawing on a wide range of secondary sources, the study ensured a comprehensive examination of the EFCC's performance and its implications for governance. The data analysis in this study employed a thematic analysis approach. This involved identifying key themes, patterns, and trends within the collected secondary data. The analysis aimed to evaluate the EFCC's effectiveness in curbing corruption, identify the obstacles and constraints encountered by the agency, and assess the impact of the EFCC's activities on public administration, the rule of law, and public trust in government institutions. The thematic analysis allowed for a systematic and rigorous exploration of the research questions and facilitated the identification of significant findings and trends. The analysis begins by providing an overview of the strategies employed by the EFCC (Economic and Financial Crimes Commission) in Nigeria. It then proceeds to evaluate the challenges that the EFCC faces in its anti-corruption efforts. Finally, the impact of the EFCC on Nigerian governance is examined. This sequential approach, based on a trend research design, ensures an effective analysis of the subject matter.

Overview of the EFCC's initiatives and strategies.

In a quest to fight corruption, the Economic and Financial Crimes Commission (EFCC) was established by an act of parliament in the year 2003 by the regime of President Olusegun Obasanjo, partially to assist the Independent Corrupt Practices and Other Related Offences Commission (ICPC) created in the year 2000, and in response to pressure from the financial Action task force on money laundering (FATF) which named Nigeria as one of 23 non-Cooperative countries in the international community effort to fight money laundering with its head office in Abuja.²³ The establishment of the EFCC was to cleanse Nigeria of economic and financial crimes limiting the economic growth of the country and to consolidate the domestic and international efforts to fight corruption. Consequently, observed that between 2015-2023, the EFCC investigated and prosecuted over 1425 Convictions of many whom are top government elites.²⁴

The EFCC's activities and strategies have been critical in Nigeria's anti-corruption campaign.²⁵ To combat corruption, the anti-graft agency has taken a multifaceted approach, focusing on investigation, prosecution, prevention, and public education. The EFCC's strategies align with the roles outlined in the EFCC Act of 2003, which are as follows: (a) Promulgation of laws against graft: the Independent Corrupt Practices and Other Related Offenses Commission (ICPC) Act, the Economic and Financial Crimes Commission (EFCC) Act, and the Money Laundering (Prohibition) Act 2004. (b) Strengthening of anti-corruption and other economic crime institutions for effective law enforcement. (c) Prosecution and conviction of high-ranking administration officials. (d) Tracing, seizing, and confiscating all proceeds of crime (e) Institution of the Due Process Mechanism in public sector procurements (f) Privatization of failing public institutions and creating an enabling environment for effective private-public partnerships (g) Monthly publication of

distributable revenue from the Federation Account to the different tiers of government (h) Institution of transparencies in the oil and gas sector through the work of the Extractive Industries Transparency Initiative (NEITI).²⁶

The EFCC's emphasis on proactive inquiry is one of its primary initiatives. To investigate and acquire evidence in situations of corruption, the commission established specialized departments and task forces. The EFCC uses this method to target high-profile persons and institutions involved in corrupt behaviour. The EFCC's proactive investigation technique, as described by Nwambuko et al., has resulted in significant advances in identifying corrupt activities and creating strong cases against offenders.²⁷ In terms of prosecution, the EFCC has established a strong legal framework to ensure that corrupt individuals are effectively prosecuted. To bring corruption charges to trial, the commission works with other law enforcement authorities like the ICPC, and the judiciary. This approach is intended to send a clear message that corruption will not go unpunished, as well as to secure convictions. Equally, the EFCC's achievement in obtaining high-profile convictions has served as a deterrence to potential criminals.

The EFCC has made significant progress in the fight against corruption in Nigeria, as shown in the table below (see Table 1 below).

Table1. EFCC Operational Statistics from (2010–2019)

YEAR	NO. OF PETITIONS RECEIVED	NO. INVESTIGATED	NO. OF CASES FILED IN COURT	CONVICTIONS SECURED
2010	6,782	2,399	206	68
2011	7,737	2,606	417	67
2012	4,914	2,062	502	87
2013	6,089	2,883	485	117
2014	4,941	2,512	388	126
2015	5,979	2,662	462	103
2016	7,045	4,660	390	195
2017	8,251	5,662	501	189
2018	9,566	5,795	515	312
2019	12,644	8,729	1,901	280
TOTAL	73,948	39,970	5,767	2,544

EFCC record 2021 as culled from T. C. Nwambuko, B. C. C. Uchegbue and F. O. Ifedi, 'Financial Crimes Control in Nigeria: An Assessment of the Economic Financial Crimes Commission (EFCC),' *Caritas Journal of Management, Social Sciences and Humanities*, 1(1), (2022), 39-52

The data in Table 1 above depict the cases investigated and prosecuted by the EFCC between 2010 and 2019. The figures demonstrate a tremendous effort in the fight against corruption and the promotion of effective governance in Nigeria. Since 2010, the number of cases investigated has increased almost chronologically, with a significant conviction rate; however, there is a significant disparity between the number of cases filed in court and the number of convictions, indicating that the EFCC is facing the challenge of amassing a high conviction rate, with the highest conviction rate of 280, recorded in 2019 after over 5,767 cases filed in court. The statistics in Table 1 reflect the belief of experts such as Onyema et al, Akinpelu, and Bello and Cosmas that frequent political intrusions have negatively impacted the EFCC's ability to carry out its mandate.²⁸

Prevention is another key aspect of the EFCC's strategy. The commission has

implemented various preventive measures, such as the establishment of anti-corruption units within government agencies and the promotion of transparency and accountability in public procurement processes. These initiatives aim to create an environment that discourages corruption and promotes ethical behaviour. Ayodele emphasizes the importance of preventive measures in reducing corruption and improving governance. Likewise, the Economic and Financial Crimes Commission places a high priority on public education and awareness efforts.²⁹ The commission's goal is to educate the public about the dangers of corruption and the need of denouncing corrupt acts. The EFCC aspires to develop a culture of integrity and citizen participation in the fight against corruption through media campaigns and community outreach activities.

Evaluation of the EFCC’s Effectiveness, Challenges and Limitations curbing corruption.

Ndukwe et al. declared unequivocally that “Corruption is Nigeria's biggest challenge.”³⁰

To combat corruption and enhance governance in the country, the EFCC has established several initiatives and techniques over the years.

Table 2. The EFCC Convictions between 2015 and 2020

Year	Convictions
2015	103
2016	109
2017	189
2018	315
2019	1,281
2020	243
Total	2,240

Source: (Edeh, 2022)

The table above provided displays the number of convictions obtained by the EFCC between the years 2015 and 2020. The data shows some fluctuations in the rate of convictions over this period. In 2015 and 2016, the EFCC secured relatively lower numbers of convictions, with 103 and 109 respectively. However, in 2017, there was a significant increase in the number of convictions, reaching 189. This suggests that the EFCC's efforts in investigating and prosecuting financial crimes may have been more successful during that year. The trend continued in 2018, with a further increase in convictions to 315, indicating a sustained momentum in the agency's prosecution efforts. However, in 2019, there was a significant spike in the number of convictions, jumping to 1,281. This could be attributed to various factors such as an increased focus on high-profile cases or improved investigative techniques. Surprisingly, in 2020, the number of convictions dropped to 243, representing a significant decrease compared to the previous year. This decline may be influenced by various factors, including challenges related to the COVID-19 pandemic, changes in the legal landscape, or shifts in the priorities of the EFCC's operations.

In assessing the performance of the EFCC in combating corruption in Nigeria, it is

evident that there have been notable successes in some years, with successful prosecutions indicating the EFCC’s effectiveness. However, it is concerning to observe a decline in convictions in 2020, which prompts the need for further analysis and examination of the factors contributing to this fluctuating trend. Nwosu, highlights a crucial issue faced by the EFCC – the significant gaps between legal frameworks and their implementation.³¹ It is disheartening to realize that despite the existence of several policies aimed at curbing corruption, corruption persists due to the lack of proper implementation of these legal frameworks. Nwosu emphasizes the need to address weak enforcement, the absence of political will, insufficient funding and personnel, and challenges within the justice system, which all hinder the EFCC's effectiveness. Moreover, Nwosu sheds light on another critical aspect, namely the gaps between the design and application of Nigeria's anti-corruption laws.³² However, having robust legal provisions is insufficient without effective implementation strategies, political will, and the active support of the Nigerian populace in the EFCC's anti-corruption efforts.

Considering the challenges faced by the EFCC.³³ Their research, which involved a sample of 300 respondents from various

industries, revealed that while the EFCC has achieved some success in combating corruption, there is a pressing need to strengthen the legal framework and enhance anti-corruption enforcement measures. This finding resonates with my concerns about the declining convictions in 2020 and reinforces the urgency to address the gaps in the EFCC's approach. Reflecting on the performance of the EFCC in fighting corruption in Nigeria, it is both encouraged by the successes achieved in previous years and concerned about the challenges that hinder its effectiveness. The decline in convictions in 2020 raises the need for a comprehensive analysis of the factors influencing this trend. It is crucial to address the gaps in the implementation of legal frameworks, strengthen the legal system, and garner the necessary political will and support from the Nigerian populace to bolster the EFCC's impact in the battle against corruption.

Based on the preceding analysis of this report, one of the primary issues confronting the EFCC in combatting corruption in Nigeria and fostering effective governance is "gaps between the design and application of Nigeria's anti-corruption laws. Nwosu, observed that despite having strong legislative frameworks in place to prevent corruption, the actual effects have been generally ineffectual due to a variety of variables.³⁴ These issues include insufficient enforcement measures, a lack of political will, poor institutional capability, and an impunity culture.

The EFCC's Influence on Governance in Nigeria.

For the average Nigerian, corruption is synonymous with every administration, even though several scholars, as mentioned above, identified some significant achievements by the EFCC (see Table 1 and 2), these achievements have only been for the elites and have not reflected the opinions of the average Nigerian, who sees anticorruption agencies as tools used by the government to fight political opponents, thus overriding the goal of the establishment of the anti-corruption agencies. This was mentioned by

Nwosu, as a loophole in policy design and anti-graft law implementation.³⁵

Furthermore, Nigeria's ranking of 150th out of 180 nations in the Corruption Perception Index has called into question the role of the EFCC and other anti-corruption authorities in the fight against corruption. Bello and Comas discovered the EFCC to be ineffective in dealing with corruption in federal public service and identified the anti-corruption commission's low level of autonomy as one of the factors responsible for the EFCC's ineffectiveness in dealing with corruption in the public service.³⁶ As a result, increasing the level of autonomy of anti-corruption institutions, increasing the effectiveness of the corruption reporting system in the public sector, and increasing the level of enforcement of punishments for corruption offences will, among other things, improve the effectiveness of the institutions in dealing with corruption in Nigeria.³⁷ Junaidu remarked that the EFCC was highly effective in carrying out its statutory tasks under the leadership of Nuhu Ribadu, and its activities generated newspaper headlines.³⁸

Table 3 below illustrates the most corrupt institutions in Nigeria

S/No.	Institutions	Rank
1	Political Parties	4.0
2	Parliament/Legislature	3.7
3	Police	3.6
4	Legal System/Judiciary	3.5
5	Business/Private Sector	3.4
6	Tax Revenue	3.3
7	Customs	3.2
8	Media	3.2
9	Medical Services	3.0
10	Utilities	3.0
11	Education System	2.9
12	Non-Governmental Organizations	2.8
13	Religious Bodies	2.6

Source: New Internationalist (2018)

From the data in Table 3 above, it can be observed that political parties are ranked at the top with a score of 4.0, indicating that they are perceived as relatively more effective or successful in their role. This suggests that political parties in this context may have a significant impact on governance and play a crucial role in the political landscape. Following political parties, the parliament/legislature is ranked second with a score of 3.7. This indicates a relatively high level of confidence in the legislative branch of government and highlights its importance in shaping laws and policies. The police, legal system/judiciary, and business/private sector are ranked third, fourth, and fifth, respectively. These institutions are considered essential pillars of society, responsible for maintaining law and order, ensuring justice, and driving economic growth. Other institutions listed in the table, such as tax revenue, customs, media, medical services, utilities, education system, non-governmental organizations, and religious bodies, are ranked lower, indicating room for improvement in their effectiveness or performance. It is important to note that the major highlight of the table lies in the top-

ranked institutions, particularly political parties and the parliament/legislature. These institutions hold significant influence and play a vital role in shaping policies and governing the country; however, they champion the highest level of corruption in Nigeria, further making a mockery of the duties of the EFCC and other anti-graft agencies in fighting corruption in Nigeria.

Conclusion and Recommendation

This study has undertaken a comprehensive analysis of the Economic and Financial Crimes Commission (EFCC) and its role in Nigeria's anti-corruption crusade. The findings revealed that while the EFCC has made significant efforts to combat corruption, it faces various challenges that hinder its effectiveness. These challenges as identified by the analysis of this study include; a lack of proper implementation of anti-graft policies, institutional capacity constraints, undue political interference, and the persistence of corruption networks. Despite these challenges, the EFCC as stipulated in the EFCC Act has contributed to promoting transparency, accountability, and institutional reforms in Nigeria. However, its interventions have not resulted in

demonstrable advancements in public administration, the rule of law, and public trust in government institutions due to the high level of corruption in many public agencies entrusted with efficient governance. In keeping with the research objectives, the study advocates for continuous efforts to strengthen anti-corruption measures, such as increasing the EFCC's operational capabilities through enough funding to withstand political interference and develop international cooperation. Furthermore, the study underlines the necessity of public awareness and engagement in the fight against corruption, as well as institutional reforms to enhance openness and accountability. This can be accomplished by putting in place strong financial management, procurement, and public service delivery procedures. A clear, interpretation of the EFCC's role should be properly stipulated to enable the commission to act on its legal framework.

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