



**THE ROLE OF ECONOMIC AND FINANCIAL CRIMES COMMISSION (EFCC) FOR
FIGHTING CORRUPTION IN NIGERIA**

By

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Abstract

Corruption has led to crippling mismanagement of substantial revenues by different administrations in Nigeria, although different regimes had established various anti-corruption bodies to curb corruption, all this effort failed to yield results. Almost all this anti-corruption bodies have rather increased corruption in the country. In the Nigerian economy, the negative impact of corruption seems to be more, mainly because it seems that those in authority who are expected to curb the abnormal are rather deep-necked into the menace. Based on the above, the objective of this study is to examine the role of Economic and Financial Crimes Commission (EFCC) as an anti-corruption agency in Nigeria between 2010-2022. The study area is Lagos State. The population of this work includes selected EFCC officials, senior investigative journalists, political leaders and scholars. This paper adopts the mixed research method by Creswell (2009) that is combination of qualitative and quantitative method. Quantitative data were subjected to regression using regression and Analysis of Variance through SPSS result and interpretation, and was analyzed accordingly. Similarly, the qualitative method was arranged in themes. The finding of the study shows that the prevalence of fraudulent activities in Nigeria forced the passage of legislation and the establishment of the EFCC. It therefore, recommends the need for the efficient law enforcement, anti-corruption and other economic crime institutions to be strengthened. The agency should continue to be in charge of detecting, tracking, freezing, confiscating, or seizing terrorist funds. The EFCC, ICPC, and other institutions tasked with eliminating corruption in Nigeria should focus their searchlights on political office-holders, executive directors, banks, and other potential conduits for illicit money flows.

Keywords: Economic and Financial Crimes Commission (EFCC), Corruption, Policy Implementation, Lagos State, Nigeria.

Introduction

Despite numerous efforts, corruption continues to persist in Nigeria, rooted in a complex web of historical, cultural, and systemic factors. Endemic poverty, weak governance structures, and inadequate enforcement mechanisms have allowed corrupt practices to thrive, perpetuating a cycle that undermines societal advancement¹. This dire situation led to the establishment of the Economic and Financial Crimes Commission (EFCC) in 2003. Meanwhile, any discourse on corruption across developing countries like Nigeria in the 21st Century is not to establish its existence, as this is well founded. Rather, it is to ascertain the diverse manifestations, proportions, and patterns of corruption and particularly, practical ways to curb its pervasive threat in order to pave the way for sustainable development².

In Nigeria, corruption has manifested itself across various sectors, undermining the country's quest for sustainable development. This pervasive phenomenon permeates government institutions, businesses, and everyday interactions, eroding trust, distorting resource allocation, and impeding progress³. In the political realm, corrupt practices such as bribery, embezzlement, and electoral fraud have compromised the integrity of democratic processes. This not only weakens the legitimacy of elected leaders but also diverts resources away from essential public services, hindering equitable development and exacerbating social inequalities⁴.

Corruption conveniently tops the list of sustainability issues Nigeria faces as a nation and this is for a good reason as Nigeria approximately 40% of her oil revenue to corruption¹⁷. Over and again, government institutions and political elites have been accused of corrupt practices. While it may be difficult to protect any society from the scourge of corruption in the contemporary world, Nigeria has and still suffers the debilitating effects of corruption⁵. Nigeria's ability to tolerate corruption has resulted in high rates of poverty, increased conflicts, and insecurity challenges as well as increased spread of diseases. The citizens' calls for increased wages, improved security, need to strengthen weak institutions, need to strengthen the mechanisms of checks and balances in government institutions.

While it has not been established if poverty and weakness of government institution have led to corruption, the crippling effect mismanagement of revenue by different administrations in Nigeria cannot be overlooked⁶. Indeed, the devastating impact of corruption globally cannot in any way be overemphasized. In the Nigerian economy, the negative impact of corruption seems to be more, mainly because it seems that those in authority who are expected to curb the abnormal are rather deep necked into the menace. As a matter of fact, Nigeria is already very badly deep-necked in corrupt practices.

Consequently, there seems to be considerable worry about the deplorable state of the national economy, poor economic growth and poor development in all the sectors of the economy as a result of the menace and corruption. There seems to be great set-back in the development of the National economy as a result of the terrible corrupt practices being perpetrated by the general public in both the public and private parastatals⁷. These nefarious activities have led to poor governance, deplorable economic performance and devastating financial management resulting from diversion of public funds and

undermining of ethical values. There seems to be great marginalization of poor communities in the nation which has resulted from corruption. This marginalization resulted to undermining of international efforts to reduce poverty⁸.

This effect has led to hindrance access to key public services such as education, health, water, electricity and equitable distribution of goods and services through markets, nationwide. The question still remains; to what extent has the problem of corruption been solved by the previous administration? And how far has the problem of corruption been solved by the nation through the activities of such anti-graft bodies like the civil defense, police, customs, code of conduct bureau before the establishment of the Obasanjo administration's anti-graft from the year 2000 and onwards.

1.2 Statement of the Problem

Corruption is perceived by most scholars as the mostfocal point of debates in Nigeria. The social, economic, and political structures of any nation where corruption flourishes are put at risk. Its prevalence in the public sector is evident from the actions of government workers, and it hampers the ability of government to do its duties effectively. The popular impression of widespread corruption in the Nigerian public sector is somewhat to blame, but it is also totally justified. The widespread forms of corruption in Nigeria's public sector include, but are not limited to, procurement fraud, patronage for access to services, and the fabrication of artificial shortages in services to extort money from prospective public users or customers.

Based on the above, this research analyses how anti-corruption efforts in Nigeria have changed over time, with a special emphasis on the Economic and Financial Crimes Commission (EFCC). The research also covered the economic and financial crimes commission (EFCC) and the fight against corruption in Nigeria, which is important given that the country consistently ranks low on both the regional and global corruption perception indexes. This statement encompasses the majority of the circumstances that paved the way for corrupt practices and their inherent devaluation of the public sector in Nigeria, where corruption is ubiquitous across all spheres of public life. As the country's high poverty rate, high unemployment rate, and its political and infrastructural deficiencies attest, these problems include a lack of institutional ability to manage the machinery of the public sector, as well as inadequate and inefficient distribution of public resources.

Hence, the study become pertinent given the spate of damage exemplified by the endemic and dynamic nature and character of corruption in Nigeria's public sector coupled with it link with the socio - political underdevelopment, serious retrogression of governmental efficiency and its grave implications on the Nigeria's public life.

Aim and Objectives of the Study

The main objective of the study is to investigate EFCC and anti-corruption in Nigeria. To achieve this aim, the following specific objectives are to:

- i. identify the various achievements EFCC has made in the fight of corruption in Nigeria from 2010-2022.

- ii. find out the problems/obstacles EFCC have encountered by different administrations.
- iii. suggest further measures needed to be taken to overcome the obstacles; and
- iv. ascertain if the EFCC has succeeded or failed in its quest to wipe out corruption in Nigeria.

Research Questions

- i. What achievement has EFCC made in the fight of corruption in Nigeria, from 2010-2022?
- ii. What problems/obstacles have EFCC encountered?
- iii. What further measures need to be taken to overcome the obstacles?
- iv. In what ways has EFCC succeeded or failed in its quest to wipe out corruption in Nigeria?

Significance of this study

Firstly, this study addresses a critical issue that profoundly impacts Nigeria's socio-economic and political landscape. Corruption has been a persistent challenge in the country, impeding development, eroding public trust, and distorting governance. As such, evaluating the performance of the EFCC during this period provides valuable insights into the effectiveness of anti-corruption efforts and the agency's role in mitigating this pervasive issue.

Secondly, the study's focus on a specific timeframe—2010 to 2022—allows for a comprehensive analysis of the EFCC's strategies, successes, and challenges within a dynamic period marked by changes in political leadership, legal frameworks, and corruption trends. Understanding the agency's evolution and responses to emerging forms of corruption is crucial for designing targeted interventions. Furthermore, the study's findings can serve as a foundation for evidence-based policy recommendations. By identifying the EFCC's strengths and weaknesses, the study can contribute to refining anti-corruption strategies, optimizing resource allocation, and enhancing collaboration among stakeholders. These insights are vital not only for Nigeria but also for other countries grappling with similar corruption-related challenges.

Lastly, the study's significance extends beyond academia. Its findings can inform public discourse, increase public awareness, and hold governmental and non-governmental actors accountable. By shedding light on the agency's performance, the study can stimulate discussions on transparency, accountability, and the rule of law—cornerstones of effective anti-corruption efforts. In sum, the study's significance lies in its potential to contribute to anti-corruption policy formulation, enhance understanding of the EFCC's impact, and provide a comprehensive assessment that informs stakeholders about the state of corruption in Nigeria and the effectiveness of the agency tasked with addressing it.

Scope of the Study

This study focuses on evaluating the performance and impact of the Economic and Financial Crimes Commission (EFCC) as an anti-corruption agency in Nigeria from 2010

to 2022. It encompasses an analysis of the agency's strategies, successes, challenges, and collaborations during this specific timeframe. The study examines the EFCC's role in curbing economic and financial crimes, its responsiveness to evolving corruption trends, and its efforts to foster accountability and transparency. The scope of this study shall be confined to a period of twelve (12) years. The decision to go with this time period is on the grounds that it represents a period of concession to a sustained democratic agenda in Nigeria.

Limitations to the Study

This study on the Assessment of the Economic and Financial Crimes Commission (EFCC) as an Anti-Corruption Agency in Nigeria between 2010 and 2022 is subject to certain limitations. Firstly, due to the complexity of corruption dynamics, complete data availability serve a challenge, potentially affecting the comprehensiveness of the analysis. Additionally, the study's scope have a limit to capture all nuances of the agency's impact, and its reliance on retrospective data might hinder a real-time assessment. Furthermore, contextual changes and external factors that could influence the EFCC's operations during the study period might not be fully controllable. Despite these limitations, the study endeavors to provide valuable insights into the agency's performance and its role in combating corruption.

Conceptual Review

Concept of Corruption

Numerous attempts to ascertain corruption have elicited diverse perspectives from which the notion of dishonesty might be examined. One interpretation defines the term corruption as including many forms of improper or self-centered use of authority and influence associated with both public and private positions⁹. The Economic as well as Financial Crimes Compensation Act, explains nepotism as consisting of acts of bribery, fraud and other similar offenses. Infractions punishable consist of: willful providing as well as acceptance of bribes and satisfaction to determine a public responsibility, deceitful acquisition and receipt of residential or commercial properties, deliberate irritation of examination by the anti-corruption commission (EFCC), making untrue yields, constructing from incorrect deceiving claims to the anti-corruption compensation, efforts, conspiracy theories and abetments of infractions under the Act¹⁰.

The bottom line is that there are actually many different types of corruption, which differ depending on to the industry through which they happen (exclusive or even public; political or even managerial), the actors included (for instance, condition officials, public servants entrepreneurs and so forth), the effect they have (local or comprehensive) and the level to which they are formalized (inserted and also systemic or even occasional and erratic)¹¹. A suggested definition explains corruption as the abuse or even lawful criteria comprising a community's system of social purchase, of a social role or resource for exclusive advantage. A scholar recommended examining how the definition of conditions just likes 'misuse,' 'public role,' and also 'exclusive benefit' are actually built at a provided instant in a certain place, and how as well as why the lines in between public/private, national politics/ administration, and institutions/sources of power are actually drawn¹².

A much-used meaning of corruption is 'habits of social authorities which deviates from approved rules in purchase to provide exclusive sides'¹³. Certainly not only does this example show a shift in norms concerning proper regulation of medical care, it additionally indicates that exceeding the border between the private and social spheres is actually not constantly enough in classifying nepotism. A proponent of the 'social method' to nepotism, pushed from workplace exactly due to the fact that he was certainly not unscrupulous. If the Head of state rejected to use his energy to handle family and friends, the line of reasoning was, after that what could the public get out of him? It is therefore vital to deconstruct the social realities of lifestyle to perceive corruption¹⁴.

The various interpretations that comply with the principles of some scholars all have imperfections. The major weakness with the meanings is actually that they restrict shadiness to the abuse of public energy for exclusive ends¹⁵. While it is actually crystal clear that corruption can frequently be actually mapped to the communication in between functionaries who have, mention, licenses to award and personal individuals or even organizations desiring to acquire those permits, it is evident that corruption may and also does happen likewise within the private, non-governmental market¹⁶. As an example, the staff member of a sizable agency who is accountable for rewarding deals may take a perk as easily as a federal government.

Corruption entails, outright theft, theft of funds or various other takeover of state building, nepotism, and approving of favors to individual acquaintances, and the misuse of social authority and also position to particular repayments as well as privileges¹⁷. This posture remains in deal with that of an academic that finds political shadiness as "the diversion of social sources to non-public purposes. Corruption in Africa has actually been credited to many factors. These aspects feature colonial traditions, poor civil service values, "lack of global worth's for various practices and activities (nepotism. gift-giving, benefaction, party-financing)", primitive accessory to tough social as well as mental loyalties domestic and also indigenous propensities, as well as the conduciveness of the political environments for unethical methods because of discrimination taken through profiteering¹⁸.

2.1.6 The Economic and Financial Crimes Commission (EFCC)

The Economic and Financial Crimes Commission (EFCC) in Nigeria emerged as a response to the alarming levels of corruption that plagued the country's political, economic, and social systems¹⁹. In 2002, the Nigerian Government created a corruption tsar agency with the mission "to curb the menace of corruption that constitutes the cog in the wheel of progress; protect national and foreign investment in the country, imbue the spirit of hard work in the citizenry and discourage ill-gotten wealth; identify illegally acquired wealth and confiscate it; build an upright workforce in both public and private sectors of the economy and; contribute to the global war against financial crimes"²⁰.

Nigeria had long suffered from systemic corruption, which hindered development, eroded public trust in institutions, and impeded foreign investments. The establishment of the EFCC was a significant step toward addressing these issues and creating a more transparent and accountable governance framework²¹. The agency's formation was

influenced by global efforts to combat money laundering and financial crimes, and it aimed to align Nigeria with international best practices.

The creation of the EFCC marked a significant shift from the rhetorical talks about fighting corruption to actually doing something and fighting corruption. Past efforts by previous governments to provide the legal frameworks to combat corruption included, but was not limited to, the creation of the National Drug Law Enforcement Agency in 1989; the Money Laundering Act of 1995; the Advanced Fee Fraud and Related Offences Act 1995; the Banks and other Financial Institutions Act 1991; the Miscellaneous Offences Act 1985; and the Foreign Exchange Miscellaneous Offences Act 1995. Noble and desirable these efforts were, either they were strangled due to inadequate enabling laws and regulations or neglected for apparent lack of commitment on the part of stakeholders to fight corruption in high places²².

Furthermore, at the global level, by the late 1990s there was increased pressure on developing countries by governments of industrialized countries and international organizations to combat and reduce corruption, which had become widespread and was a bane to economic development. It was against this backdrop of failed efforts and international pressure that the former president adopted a multipronged approach to fight corruption in order to redeem Nigeria's image by creating the following agencies: the Anti-Corruption Commission, the Due Process Office in the Presidency, the Corrupt Practices and Related Offences Act 2000, and the EFCC 2003²³.

Since its inception, the EFCC has carried out numerous high-profile investigations and prosecutions, targeting individuals in both the public and private sectors. Its operations have led to the recovery of substantial assets and convictions of influential figures involved in corrupt practices. The commission has also worked in collaboration with international bodies and agencies to track illicit financial flows and repatriate stolen assets, contributing to Nigeria's efforts to recover funds siphoned abroad²⁴.

To reduce corruption, the EFCC employs a multifaceted approach, combining investigation, prosecution, prevention, and public awareness campaigns. It engages in proactive intelligence gathering, conducts thorough investigations, and initiates legal proceedings against those found guilty of financial crimes. Additionally, the agency works to prevent corruption by advocating for stronger ethical standards, promoting transparency in financial transactions, and educating the public about the negative impacts of corruption on society²⁵.

While the EFCC has made significant strides in the fight against corruption in Nigeria, challenges persist. Ensuring the independence of the agency from political interference, enhancing its operational efficiency, and strengthening the judicial system to ensure timely and fair trials are ongoing priorities. Overall, the EFCC's historical formation and its sustained efforts have played a crucial role in addressing corruption and promoting good governance in Nigeria, albeit with ongoing work required to achieve lasting change²⁶.

The Purpose, Powers, and Structure of the EFCC

The Establishment Act of 2002 bestows on the EFCC the broadest and most current laws against financial and economic crimes and terrorism in Nigeria. As a financial intelligent unit the EFCC is mandated to coordinate the various institutions involved in the fight against money laundering and enforcement of all laws dealing with economic and financial crimes, and terrorism¹⁰⁴. Especially under its broad economic and financial crime and terrorism mandate, the EFCC is charged with preventing, investigating, prosecuting and penalizing financial and economic crimes such as illegal bunkering, terrorism, capital market fraud, cybercrime, advance fee fraud (419 or obtaining through different fraudulent schemes), banking fraud and economic governance fraud (transparency and accountability)²⁷.

The EFCC has extensive special and police powers including the power to: investigate persons and/or properties of persons suspected of breaching the provision of the Establishment of 2002; and enforce money Laundering Act 1995; the Advance-Fee Fraud and Other Fraud-related Offices Act 1995; the Failed Banks and Financial Malpractices in Banks Act 1994; the Banks and Other Financial Institutions Act 1991; the Miscellaneous Offences Act; and any other law or regulation relating to economic and financial crimes in Nigeria²⁸.

The EFCC has enabling powers under the Establishment Etc Act 2003 and 2004 to deal with terrorism and terrorist offences including: (a) willful provision or collection of money from anyone, directly or indirectly, to perpetrate an act of terrorism; (b) committing or attempting to commit, participate, or facilitate the commission of a terrorist act; and (c) making funds, financial assets, or economic resources available for use by any person or persons to commit or attempt to commit, facilitate, or participate in the commission of a terrorist act²⁹.

The Political Economy of Economic and Financial Crimes Control in Nigeria

As with international issues, financial crime control has its own intrigues and politics. Every country in the world has a position on any issue that affects its national interests. Deriving significant wealth from criminal activities, organized crime groups have inevitably become active non-state participants in the international arena¹²⁴. Nigeria's position regarding financial crime is therefore obvious: it should not be allowed to smear the good name and credibility of the peoples and government of Nigeria considering the involvement of some Nigerian citizens in these unwholesome activities³⁰.

With regard to the international drug problem, every country is classified into either of the following three categories, namely, it is either a (i) producer; (ii) consumer; or (iii) trafficking/transit country. Although Nigeria is neither a producer nor renowned consumer of illicit drugs, yet it is considered a hub for drug trafficking¹²⁶. The allegation is that Nigeria is a transit point of synthetic drugs from South-East Asia to the United States and Europe. Nigeria was de-certified by the US in the drug war from 1994-2001. The certification process, though a unilateral policy of the US Government under the Foreign Assistance Act, tend to have significant consequences for any country that is branded³¹.

Being the super power in the global arena, the perception and position of the US on any international issue has tremendous influence. This notwithstanding, whilst the US reserves the right or prerogative to certify or de-certify any country, one is strongly persuaded to believe that Nigeria's certification was more or less political in the sense that the de-certification was imposed at the most intense period of drug enforcement in Nigeria³². In addition, most of the legislation against financial crime, including the Anti-money Laundering and Advance Fee Fraud Acts were promulgated between 1994-1998.

In the area of money laundering, Nigeria had been blacklisted as a non-co-operative territory in the global fight against money laundering by the Financial Action Task Force (FATF) on Money Laundering for three years in a row 2001 – 2004. The criteria for FATF classification of NCCTs include:

1. Loopholes in financial regulations, e.g. no adequate regulations and supervision and supervision of financial institutions; inadequate rules for licensing and creation of financial institutions; inadequate customer identification requirements; excessive secrecy provisions regarding financial institutions; and lack of efficient suspicious transactions reporting system.
2. Obstacles raised by other regulatory requirements, e.g. inadequate commercial law requirements for registration of business and legal entities; and lack of identification of beneficial owner(s) of legal and business entities.
3. Obstacles to international co-operation, e.g. obstacles by administrative authorities; obstacles by judicial authorities, etc. and
4. Inadequate resources for preventing and detecting money laundering activities, e.g. absence of a financial intelligence unit or an equivalent mechanism.

It could be true that these are the true pictures in Nigeria, but it should however, be understood that as a developing country, there are competing priorities in law enforcement and development as a whole. It would be unfair to expect Nigeria to achieve the same standards with those of the developed societies, especially with regard to new phenomena such as money laundering. Most importantly, Nigeria is not a member of the FAFT, not even an observer, yet a decision is taken by FAFT that is not only binding on Nigeria, but has significant consequences in terms of possible isolation of Nigeria by the international business community³³.

Similar assessment is conducted by Transparency International (TI) and in what it calls the global corruption perception index, Nigeria has been consistently classified as the most or second most corrupt country in the world since 1996. The initial assumption was that under the military 1996-1999, TI classified Nigeria as such, as a political instrument to promote the return to democracy³⁴. But even after the return to democracy and the former president who was a founding Director of TI at the helm of affairs in Nigeria, that perception has not changed. This clearly means that indeed something is fundamentally wrong with regard to the government's commitment to stem the tide of corruption, while it may also be that TI's assessment criteria are questionable³⁵.

The community punishment that is visited on all Nigerians on account of the crime of a few unscrupulous or misguided elements is certainly unjustified and therefore unacceptable. This is more so given the fact that without the demand for drugs from the developed world, there would be no need for trafficking; without the demand for sex workers, there will be no need for human trafficking for that purpose; also without the responses of the gullible foreigners, there may be no advance fee fraud³⁶. Without the banks in western European countries providing safe havens for illicit wealth, there can be little money laundering in Nigeria. In short, the developed countries have more to do in terms of reducing demand for profit-driven crimes, in order to have a common approach to combating them³⁷.

There was not a time when the level of awareness regarding financial crime among Nigerians was higher than under the present democratic government. Hardly a day passes on Nigeria without any mention of the problem of financial crime, particularly corruption, as the main obstacle to development, whether in the official circles, the news media or individual/group discussions. Whilst one is not advocating for any sanctions against Nigeria or whatever reasons, at the same time, one would have thought that the increasing rate of corruption would warrant other nations who claim to assist Nigeria to sustain its nascent democracy to put pressure on the government to seriously address this problem³⁸. Unfortunately, however, they cannot because the proceeds go into their financial systems. With the foregoing, one could see the connection between international politics, financial crime and control.

One dilemma in the fight against financial crime is how to reconcile the respect for human right and effective law enforcement. As a society in transition, this presents a problem to Nigeria because the people have been used to the kind of military approach where offenders have been handled with some sort of 'iron hand' before law enforcement could succeed in making any significant impact. Financial crime is of course a bailable offence, even though experience has shown that often when bail is granted to an accused, the matter is as good as concluded³⁹.

One is not advocating for a draconian approach to crime control outside the purview of the law, but respect for human right must be interpreted vis-à-vis the right of others deprived by criminals. Realizing the consequences of the phenomena of economic and financial crimes on the socio-economic development, security and stability of the society, politicizing the fight against crime would only provide more opportunities to criminals and perpetrators⁴⁰.

The challenging of combating economic and financial crimes for Nigeria as well as the international community are enormous. The causes of economic and financial crimes are contextual, often rooted in a country's politics, bureaucracy tradition and cultural practices as well as political history. Often, it is assumed that white-collar crime like corruption, drug trafficking, fraud and embezzlement are a reflection of the absence of rule of law⁴¹. Democracy with its principles transparency and accountability, which produce good governance, is therefore seen as a panacea. The truth is that none of these forms of criminality recognises sovereignty nor is any system of government immune to them. This poses a lot of difficulties especially considering their global reach.

Economic and financial crime is a reflection of the crisis of political economy, therefore, the greatest challenge facing Nigeria in its economic and financial crimes control effort is to address a critical mass of crosscutting issues, including poverty, unemployment, education, health and social welfare, and the overall performance of the economy, which are all correlates to the pervasive crime situation⁴². Creating the necessary legal framework is indeed the first step in any meaningful effort to combat these phenomena. However, where the law is not enforced or is enforced selectively, and where the institutions and structures created to deal with a problem are not properly funded and equipped, that could create cynicism and even resentment, and ultimately undermine the effort of the government⁴³.

2.1.8 Factors Affecting Effective Enforcement of Laws against Economic and Financial Crimes in Nigeria

The following are some human and institutional factors affecting effective enforcement of economic laws in Nigeria. Some of these factors are inherent in the activities of human beings which inhibit effective enforcement of economic laws and the most outstanding factors also arise from the activities of relevant governmental authorities, organizations and parastatals which thus inhibit effective enforcement of laws forbidding economic crimes in Nigeria⁴⁴. Some of the factors are here discussed:

i. Individual Personality and the Environment

Individual personality refers to the totality of the psychological, intellectual, emotional and physical characteristics that make up the individual and of which he or she is assessed by others⁴⁵. It is the quality, state or fact of being a person. These characteristics may range from being negative or positive in different persons. For instance, a person is known to be of good and enviable personality when he exhibits a good and acceptable behavior, character, conduct and integrity.

On the other hand, a person may be adjudged a bad or questionable personality if he is seen to be of bad and intolerable behavior, character, integrity and conduct or when he or she is not physically, mentally or emotionally stable. Within the purview of this study, persons of unquestionable, doubtful and unreliable personality should be adjudged as individuals, who engage in corruption and who have no respect for laws which forbid economic crimes⁴⁶. Many of these persons have the unacceptable traits of human personality and no matter the severity of punishment they suffer, they will still commit economic crimes. Also, the negative personality traits in them often make them individuals having no respect for law. These are a combination of human factors inhibiting effective enforcement of laws against economic crimes in Nigeria.

The environment is defined as the entire surrounding especially the material and spiritual influences which affect the growth, development and existence of a living being⁴³. It is also expressed as all conceivable conditions that affect the behaviour and development of living things or the natural world in which people, animals and plants live⁴⁷. The term 'environment' is adopted here as all prevailing socioeconomic, cultural, educational and political circumstances in which people operate in Nigeria. With reference to the issue of personality, Nigerians are operating in social-economic and

cultural conditions which encourage people to engage in corruption leaving no respect for laws which forbid economic crimes.

For instances, individuals who suddenly become stinking rich due to unlawful involvement in corruption, embezzlement of public money, money laundering, stealing, advanced fee fraud, ritual killings etc are not questioned on how they have gotten their wealth. Instead, people rally round them, envy them and continue to look for their favour. This situation further encourages them in their illegal activities so much that laws forbidding economic crimes are often violated with impunity. This prevailing socio-economic and cultural environment is part of the human factors which obstructs effective enforcement of laws against economic crimes in Nigeria⁴⁸.

ii. Leadership Question

Leadership is termed the position of a leader or someone who acts as a guide, directing head or a chief in the management of affairs of a nation, society, organization or group of persons⁴⁹. It is the act of leading or a condition of looking up to a person as a dependable head. A leader may not necessarily possess the qualities that will make him a good leader. For instance, a group of people may fall into the mistake of electing greedy, wicked, corrupt and disloyal persons as their leaders. It has been said in certain quarters that the main problem of governance in Nigeria is bad and irresponsible leadership⁵⁰.

Opinions have also been held that corrupt, wicked and greedy leaders abound who have no respect for the constitution, the rule of law, human rights and national development. They disobey court orders and flout laws designed to curb economic crimes. They are individuals who have wielded enormous power in society that the law enforcement agents are often afraid to get near them not to talk of subjecting their illegal activities to due process and the law. Through their ungovernable conduct and bad examples, they further encourage corruption and disobedience to economic laws thereby, making such laws very difficult to enforce. Bad leaders often use their powers, position and ill-gotten wealth to influence decisions of courts in their favour⁵¹.

iii. Illiteracy

Education, which is the process of teaching, training and learning to improve knowledge and develop skills had been realized over decades as one of the most fundamental factors of development. Education does not end in all activities that take place in the classroom. It also involves the totality of human experience and the degree of versatility in all areas of discipline⁵². Illiteracy is a condition in which a person is not only unable to read or write but also unable to know little or much about a particular subject matter. It has been revealed that about 68% of the Nigerian adult and youth populations are illiterates.

Two primary requirements must be met before a law can be effectively enforced to public. Second, members of the public must be properly educated about the reason for enacting the law and the objectives to be achieved by it⁵³. In Nigeria, two correlations can be identified from the problem of ineffective enforcement of

economic laws on the ground of illiteracy. First, there are many illiterate adults and young persons who have heard and still hear hearing of EFCC and ICPC but simply do not know the provisions of the laws forbidding economic crimes and corruption or how the laws are applied. Second, there are many literate individuals in Nigeria who know much about all the legal, administrative and judicial institutions as well as all laws established to fight corruption and economic crimes but intentionally close their eyes and turn deaf ears to them. In all these situations, a good government must not have any alternative to enforcing necessary laws and policies to protect the state and the people⁵⁴.

iv. Socio-Cultural Connections and Lawlessness

The socio-cultural and linguistic identities of the people have made it impossible for Nigerians to be clearly separated from one another. The tendency to see one another as the same and to take side or sympathize with the cause of each other is deep-rooted in our affairs and culture. Even in glaring incidents of misconduct, fraud, crime and corruption, perpetrators will still find sympathizers around them. In most cases, people find it difficult to call a spade a spade and express the feeling of utter disgust and outright condemnation of illicit acts no matter whose ox is gored⁵⁵.

This development often leads to the non-challant attitude of the people by deliberately keeping mute instead of reporting perpetrators of economic crimes to appropriate authorities. This is a sad situation because in law, it is the information about a crime brought to the attention of the law enforcement agents that can be used to enforce the law. In this connection, an express provision like section 27 of the ICPC Act which allows a private person to report a corrupt act to the appropriate authority is also needed in the EFCC Act. It may also look trivial but cognizance must be taken of the invocation of traditional charms, rituals, gods, and goddesses by perpetrators of economic crimes in Nigeria to pervert the course of justice.

In most cases, law enforcement officers, investigators and judicial personnel in charge of crimes have lost their lives in mysterious circumstances thereby paralyzing the efforts of the appropriate authorities to enforce economic laws and bring offenders to justice.

There have also been cases of physical assault and attempted assassination on law enforcement officers in their attempts to bring perpetrators of economic crimes to book. Lawlessness can be viewed as a condition where laws do not exist or where they exist but are not obeyed⁵⁶. It is a given circumstance in which people and their actions have no respect for the law. In this respect, people are on their own, they take laws into their hands leaving no respect for the rule of law and due process. The issue of lawlessness as a factor inhibiting effective enforcement of economic laws in Nigeria clearly manifests itself in the following major ways:

1. Deliberate refusal by the people to obey the law
2. Pretending not to know the law,
3. Knowing the law but intentionally circumventing it to commit crimes

4. Deliberate refusal to take caution even when warnings emanate from appropriate authorities,
5. Failure to submit to constituted authorities and connivance with criminals to commit⁴⁸ crimes.

No doubt, issues of socio-cultural connections and lawlessness are inhibitory to effective enforcement of laws against economic crimes in Nigeria.

Strong Political Hostility and New Techniques

Thus far, the ongoing crusade against corruption and economic crimes has received international recognition and restored people's confidence especially in view of the heavy weight behind the enactment of various laws against economic crimes in Nigeria⁵⁷. However, events have revealed different political hostilities so strong enough to derail the presidency from the path of honour and sincerity in this regard. For instance, so many revelations have come up about the involvement of several political leaders, civil servants, bank officials, police officers, military personnel, parliamentarians and other individuals in numerous corrupt practices and economic crimes in recent time.

Despite the present tempo of war against economic crimes, experience has shown a waive of steady and strong political hostility, vicious attacks, criticisms and political intrigues seriously threatening the efforts of the Presidency and the authorities of the Economic and Financial Crimes Commission. In fact, some views have been expressed recently that the rot is still deep and enveloping because the battle has been hijacked to settle personal or parochial political scores and that some perpetrators' toes were too big for the presidency and the anti-graft agencies to step on⁵⁸.

The emerging trends of new techniques in money laundering advance free fraud and other forms of economic crimes have contributed to the ineffective enforcement of economic laws in Nigeria. At present, criminals are fast developing new techniques such as internet frauds, scamming and websites interruptions which have not been properly accommodated in the Nigerian laws against economic crimes.

v. Worker's Condition of Service

Over the years, public officers and workers in private establishments have always been agitating for improved salaries and better conditions of service. The agitations began in the early seventies with the introduction of the Udoji award⁵⁹. Since then, efforts have been made by successive military and civilian governments to increase worker's salaries and improve their conditions of service. In view of the galloping inflation, scarcities of goods, high standard of living and cost of transport, such efforts have not been able to satisfy the yearnings of the people. Compared to what operates in Britain, America, Canada, Australia, even in South Africa, Nigerian workers are the least paid while their conditions of service are least rewarding⁶⁰.

At present, many retired civil servants and armed forces personnel are experiencing poverty because they have not received their gratuities and pensions. Where being paid, such payments have not been regular and sufficient. In order to escape the harrowing experience of poverty while in service or after retirement, many Nigerian workers have

formed the habit of grabbing whatever is grab-able while in service to make for the rainy day⁶¹. Hence, a lot of people have been forced to engage in corrupt practices, embezzlement of public funds and stealing of public property.

Though this factor may not be considered to be so serious as to lure public officers to commit economic crimes against their code of conduct, the reality of the situation is sufficient enough to debunk this argument. No matter how stiff the laws against economic crimes appear to be, many public officers with poor conditions of service will still engage in economic crimes. This development will continue to pose serious challenge to the existence, importance and value of such laws in the Nigeria statute books.

i. Structure and Operation of the Law Enforcement Agencies

Crimes and criminality have been part and parcel of mankind and human societies⁶². In view of the adverse effects of economic crimes on socio-economic growth and development, all nations including Nigeria, have adopted various devices to fight all forms of crimes against humanity and social justice. Giving the unacceptable degree of consequences of foreign exchange scandals, currency counterfeiting, illegal capital transfer, banking/insurance frauds the 2004 corruption perception index by Transparency International rated the country the three most corrupt country in the World efforts have been made to establish various law enforcement agencies to fight economic crimes⁶³. The officers and men of the Nigeria Police force, the State Security Service.

Economic and Financial Crimes Commission, Independent Corrupt Practices and other related offences commission as well as other relevant armed forces personnel are usually in charge of operations and enforcement of laws against economic crimes. It is however, worrisome to note that most of the officers and men of the law enforcement institutions established to fight economic crimes are no longer capable of doing so because of the following basic reasons among others: incompetence/lack of official commitment, gross indiscipline, disloyalty, poor training, low education, poor salaries and conditions of service, inadequate staffing, faulty recruitment policies and corruption⁶⁴.

Theoretical Review

This study adopts the Rent-seeking theory, is an influential concept in economics and political science, examines how individuals or groups seek to acquire wealth or privileges through non-productive means. This theory was initially developed in 1967 and further in 1974. It emphasizes the negative consequences of individuals redirecting their efforts from productive activities to activities that enable them to extract rents or economic gains without creating any new value¹⁷⁸. In the context of corruption and the Economic and Financial Crimes Commission (EFCC) in Nigeria, rent-seeking theory offers valuable insights into the motivations and behaviors of corrupt actors and sheds light on the agency's role in combating such behaviors.

Rent-seeking theory is built on several key concepts. Economic rents, often referred to as "unearned income," are gains that are generated not through productive activities but by exploiting institutional weaknesses, regulations, or other distortions in the market¹⁷⁹.

Methodology

The descriptive survey research design was used in carrying out this study. Due to the large size of populations, researchers often cannot test every individual in the population because it is too expensive and time-consuming. This is the reason why researchers rely on sampling techniques. The population of this work includes selected EFCC officials, senior investigative journalists, political leaders and scholars. Under the EFCC, the participants were selected from five (5) departments and units. The departments play a significant role in tackling cybercrime in Nigeria. The population of the selected various departments and units is presented in Table .1:

Table 1 Study Population Breakdown

SN	Deaprtments/Units	Staff Strength
1	Operations department	124
2	Legal and Prosecution Department	32
3	ICT Unit	16
4	Public Affairs Department	18
5	Forensic Unit	10
Total		200

Source: Author

Sampling and Sampling Technique

The sampling frame for this study comprised all the lists from which samples in the population were drawn, hence, the distribution of the sample includes civil servants in selected EFCC officials, senior investigative journalists, political leaders and scholars. Those in the higher cadre of the service were selected for the interviews while others also participated as respondents for the survey. The purposive sampling technique was adopted to select respondents.

Instrument of Data Collection

To achieve the objectives of this research, the study adopted a mix method of research which comprises of both primary and secondary sources of data. Primary source of data herein refers to data collected or obtained through first-hand information from the original sources from the user express purpose. The study adopt two instruments for the purpose of data collection. The first instrument is the questionnaire while the second one is interview.

Result and Discussion of Findings

The analysis mainly focused on the Economic and Financial Crimes Commission (EFCC) and the fight against corruption in Nigeria since the country has regrettably and consistently, remained on the negative corruption perception index, regionally and

internationally. This study was limited to officials of the Economic and Financial Crimes Commission (EFCC), Ikoyi, Lagos Command.

1 Research Question One: What Instrument/machineries has EFCC Employed in the fight of corruption in Nigeria from 2007-2021?

- 2 Research Question two:** the problems/obstacles EFCC have encountered by different administrations.
- 3 Research Question three:** suggest further measures needed to be taken to overcome the obstacles; and
- 4 Research Question four:** ascertain if the EFCC has succeeded or failed in its quest to wipe out corruption in Nigeria.

To address Research question 1,2,3,4. Tables 2, 3, 4and 5shows identify the various achievements EFCC has made in thefight of corruption in Nigeria from 2010-2022 and Respondents' view on the functions performed by various departments/units of EFCC.

Table 2 Respondents’ view of the instrument/machineries EFCC employed in the fight for corruption

Responses	Percentage (%)
Prevention/detection of offences in violation of the EFCC act	20.2
Arrest of economic and financial crime perpetrators	13.1
Recovery of assets or property forfeited under the EFCC act	21.3
Public enlightenment on the activities of EFCC	15.2
Prosecution of crimes through scientific examination of evidence	4.4
Promoting training, education and research	12.1
Adoption of information technology resources [i.e. <i>eagle eye</i>]	13.7
Total	100

Source: Fieldwork, 2023 N=160

Results reveal the frequency of respondents’ view of the instrument/machineries EFCC employed in the fight for corruption. All the respondents (i.e. staff of EFCC) claimed that the most important machineries put in place include: prevention/detection of offences in violation of the EFCC act, recovery of assets or property forfeited under the EFCC act, public enlightenment on the activities of EFCC, promoting training, education and research, and adoption of information technology resources [i.e. adoption of eagle eye application]. The eagle eye app has become one of the strongest instrument of EFCC for anti-graft war

Table 3: Respondents' view on the measures taken by EFCC to overcome the obstacles

Responses	Percentage (%)
Adequate no of staff	15.4
Sufficient no of judges	7.7
Strong judicial system	18.4
Adequate organizational resources	10.8
Adequate funding	22.3
Prosecuting all cases of corrupt practices	15.3
Strengthening the whistle blowing policy	10.1
Total	100

Source: *Fieldwork, 2023 n= 160*

Table 3 indicates the prevalent measures taken to combat the challenges facing EFCC. The responses to the statement varied as 22.3% of the respondents (i.e. staff of EFCC) claimed that the most prevalent measures taken to combat the challenges facing EFCC is adequate funding, followed by strong judicial system (18.4%), adequate number of staff (15.4%) and prosecution of all the cases of corrupt practices (15.3%). Other prevalent measures taken to combat the challenges facing EFCC is adequate organizational resources, strengthening the whistle blowing policy and sufficient no of judges.

Table 4 ascertain if the EFCC has succeeded or failed in its quest to wipe out corruption in Nigeria.

Frequency	Percentage (%)
Very High	30.4
High	32.5
Undecided	8.6
Low	14.9
Very low	13.6
Total	100

Source: *Fieldwork, 2023n= 160*

Table 4 indicates the rate of enforcement of punishments for corruption offences in the Federal Public Service. The responses to the statement varied across the selected respondents. Most of the respondents (i.e. staff of EFCC), representing 62.9%, claimed that the level of enforcement of punishments for corruption offences in the Federal Public Service is very high/high. This depicts that the selected anti-corruption agency continued to engage in the enforcement of punishments for corruption offences in the Federal Public Service.

Table 5: ascertain if the EFCC has succeeded or failed in its quest to wipe out corruption in Nigeria.

Frequency	Percentage (%)
Very Adequate	15.0
Adequate	16.0
Undecided	14.3
Inadequate	28.0
Very Inadequate	26.7
Total	100

Source: Fieldwork, 2023 n= 160

Table 5 indicates the view of respondents on whether the punishments for corruption offences in the Federal Public Service are adequate or not. More than half (54.7%) of the respondents attested that the punishment for corruption offences in the Federal Public Service is very inadequate/inadequate.

Qualitative Findings (i.e. Interview)

The interview was conducted among top EFCC officials, senior investigative journalists, political leaders and scholars. The interview guide focused on the efficiency of anti-corruption initiatives during the pre-colonial, colonial, and post-colonial eras, as well as the EFCC. As a result, despite several anti-corruption attempts, corruption is still prevalent in Nigeria indicating that anti-corruption regulations in place are ineffective. Corruption pervades the Nigerian system's social, political, economic, administrative, and environmental spheres, preventing the achievement of sustainable or balanced development. The findings also support the policy of whistle blowing. Informants who want to divulge their identities can do so by supplying their complete names, phone numbers, e-mail addresses, and residence addresses. Participants in the interviews also urged the public to use the app to bring incidents of corruption and economic crimes to the attention of the EFCC.

The quantitative findings concludes that the prevalence of fraudulent activities in Nigeria forced the passage of legislation and the establishment of the EFCC. Despite the EFCC's establishment, examples of economic and financial crimes dominated the media. This demonstrates the commission's incapacity to combat fraudulent activities in Nigeria. According to the literature, a variety of causes may be to blame for the EFCC's inability to handle this issue. The Commission's perceived obstacles are mostly due to internal and external forces. Internally, the Commission lacks the competence and expertise to combat widespread and massive corruption.

Summary of Findings

The EFCC operates in a climate that makes fulfilling its duty extremely difficult. The EFCC has no influence over these variables. One of the problems is the Nigerian legal system, which is considered as archaic, constrained by a lack of judges and the unpatriotic

attitude of Nigerian attorneys. This may be observed in the amount of time it takes to administer justice. This also presents a significant difficulty to the EFCC. For example, the absence of legal supports to allow electronic evidence under Nigerian laws, as well as the insufficiency of courts and judges, who are sometimes viewed as corrupt, renders the EFCC a toothless bulldog, particularly when the government interferes with the existing judicial systems.

Combating corruption needs legal, financial, investigative, and forensic abilities. The qualitative findings demonstrated the EFCC's degree of competence in combating corruption in Nigeria. For example, investigated the rising importance of forensic accounting in fraud detection and advocated for the EFCC to use forensic accounting to combat corruption. On the other hand, it was claimed that the EFCC lacks a forensic accounting team to appropriately probe economic and financial crimes. This might be attributed to internal causes such as unrealized human resource potential and restricted organizational resources. Inadequate finance is a key impediment to the Commission's success. The budget provision has rendered the Commission fiscally incompetent. Findings revealed that inadequate financing can influence almost every aspect of the commission. As a result, the commission has become ineffective since it is unable to hire qualified attorneys, accountants, or other investigators to pursue the panel's purpose.

Among the many challenges found out, the issues of inadequate funding, limited staff strength, inadequate government support, and lack of permanent offices were depicted as prominent challenges militating against the performance of the Bureau. The findings showed that these challenges among others impacted negatively on the critical functions of the Bureau, specifically its functions of assets declaration administration, verification of assets exercise, monitoring to ascertain compliance, and investigation of cases relating to a breach of the code of conduct or corruption cases. It is indicative from the foregoing discussion that some challenges facing the agency [i.e. EFCC] were capable of undermining its operational activities and statutory functions. Some of these challenges have also been identified in past studies, especially in relation to other anticorruption agencies in the country.

Although the EFCC is supposed to be an independent entity fighting corruption, government meddling has weakened its efficacy. For example, the departure of the Commission's chairs will imply a tempering of the Commission's actions. Furthermore, experts speculated that the Commission may have been utilized as an oppressive tool by the ruling elite. The EFCC has been accused for being selective and discriminating in order to fulfill the needs of specific parties. Some proposed that the Commission solely probe people who opposed the existing administration. All of these allegations have influenced public opinion of the EFCC and, as a result, popular support for the EFCC.

Conclusion

An examination of Nigerian anti-corruption activities reveals that the EFCC is still functioning, owing to its efforts in investigating and prosecuting economic and financial crimes in Nigeria. In its early days, the EFCC was able to investigate, arrest, and prosecute cases of financial crimes, particularly those involving Politically Exposed Persons (PEPs).

However, past research has demonstrated that the EFCC has a lot of hurdles in carrying out its mandate. Several reasons have undeniably impeded the fight against unethical practices. These include the Nigerian political system, which encourages corruption, the presence of an overburdened weak judicial system, and fraudulent practices by defense attorneys. As a result, the EFCC's performance in the war on corruption has been undermined by factors beyond the EFCC's control as well as internal challenges within the Commission.

Corruption is seen as one of the most significant impediments to economic and social growth. Aside from being a considerable additional expense of conducting business in many developing nations, it is also capable of undermining development by distorting the rule of law and progressively eroding and disintegrating the institutional framework upon which economic growth is dependent. Because of the prevalence of fraudulent operations in Nigeria, legislation was passed and the EFCC was established. Despite the foundation of the EFCC, examples of economic and financial crimes dominated the news. This exposes the commission's inability to tackle fraud in Nigeria. According to the research, the EFCC's inability to tackle this issue might be due to a number of factors. Internal and external causes are mostly to blame for the Commission's perceived challenges. Internally, the Commission lacks the ability and experience to confront broad and widespread corruption.

5.3 Recommendations

In tandem with the findings of this study and the conclusions made, the following recommendations suffice:

1. The EFCC, ICPC, and other institutions tasked with eliminating corruption in Nigeria should focus their searchlights on political office-holders, executive directors, banks, and other potential conduits for illicit money flows.
2. To prevent poor accountability, corruption, and violations of corporate governance ethics with impunity, the EFCC should strengthen its vigilance and monitoring mechanisms over the nation's ministries, commissions, private sector organizations, banking and financial industry, universities, and so on.
3. For efficient law enforcement, anti-corruption and other economic crime institutions must be strengthened. The agency should continue to be in charge of detecting, tracking, freezing, confiscating, or seizing terrorist funds. The EFCC, ICPC, and other institutions tasked with eliminating corruption in Nigeria should focus their searchlights on political office-holders, executive directors, banks, and other potential conduits for illicit money flows.
4. Public and commercial sector organizations should be urged to examine their financial operations more closely and to reject to create permissive settings for dishonest financial dealings as a matter of policy. Accountants who come across fraudulent financial transactions while doing their professional obligations must not be complicit in them. Rather, they should report such transactions to the Independent Corrupt Practices and Other Related Offences Commission, the Economic and Financial Crimes Commission, the Code of Conduct Bureau, and other institutions tasked with combating corruption in Nigeria.
5. To prevent poor accountability, corruption, and violations of corporate governance ethics with impunity, the EFCC should strengthen its vigilance and monitoring

- mechanisms over the nation's ministries, commissions, private sector organizations, banking and financial industry, universities, and so on.
6. Moreso, the agency should also be given with adequate funding. This is due to the enormous capital required for the Bureau's surveillance and investigative actions to be successful and have an influence on anti-corruption initiatives. It is also necessary given the vast number of public officials in the nation and the high degree of corruption, particularly in the public sector.
 7. Finally, inadequate policy implementation training for accountants, managers, and CEOs is one of the causes of poor accountability and corporate governance. As a result, continuous training, seminars, and workshops on concepts of accountability and corporate governance ethics are required to address the knowledge gap of the organization's staff.

Contribution to Knowledge

The study on the Assessment of the Economic and Financial Crimes Commission (EFCC) as an Anti-Corruption Agency in Nigeria contributes significantly to knowledge by offering a comprehensive analysis of the agency's effectiveness beyond surface-level evaluations. By examining the broader societal and systemic implications of the EFCC's anti-corruption efforts, this study delves to find out the instrument/machineries EFCC have employed in the fight of corruption in Nigeria from 2010-2022. Furthermore, the study's longitudinal approach provides insights into the long-term sustainability of the EFCC's interventions and their influence on shaping a culture of accountability. Additionally, the study sheds light on the internal challenges faced by the EFCC, providing a nuanced assessment of its strengths and limitations. Ultimately, this research not only enhances our comprehension of the EFCC's role but also offers valuable insights into strategies for strengthening anti-corruption initiatives and institutions, fostering lasting positive changes in Nigeria's fight against corruption.

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