

ECONOMIC AND FINANCIAL CRIMES COMMISSION AND ANTI-CORRUPTION FIGHT IN NIGERIA

Isa Mohammed, Danjuma Yusuf, Auwal, Chul Abubakar & Yerima, Mary Moses

Department of Political Science and International Relations

Taraba State University, Jalingo-Nigeria

Corresponding Author: mohammedisa678@gmail.com +234(0)7031654060

Abstract

This paper examined the nature and dynamics of corruption and the challenges of the Economic and Financial Crimes Commission (EFCC), in its anti-corruption fights in Nigeria since 2004. The objectives of the paper are to evaluate and proffer solutions to the numerous challenges of the anti-corruption campaigns by the EFCC in Nigeria's political development. Corruption has been considered the major cause of Nigeria's socioeconomic and political underdevelopment. The paper relies on secondary sources of data and uses a qualitative descriptive method of data analysis. The paper discusses different types of corruption and historicizes the three phases of the anti-corruption war in Nigeria from 1960 till date. The institutional theory was adopted as theoretical framework of analysis. The finding of the paper reveals that despite challenges bedeviling the EFCC remarkable progress have been made in the areas of prevention, arrest, and prosecution of offenders. However, the major challenges are funding and political interference which undermines the commission's claim of independence and objectivity. The paper recommends that for Nigeria to win the anti-corruption war there is the need for political will to fight corruption by leaders, transparency, and accountability in governance, deployment of smart technology, combining the role of civil society and media to act as a watchdog, and finally the introduction of corruption into the Nigerian educational curriculum at all levels.

Keywords: Anti-Corruption, Corruption, EFCC, Nigeria

Introduction

The phenomenon of corruption is a global problem and is found in all civilizations. As a human and social problem, corruption is as old as the formation of society by man. In the case of Nigeria, corruption, though older than the Nigerian State, even before colonialism and during colonial administration has been promoted to statecraft. One thing Nigerians have unanimously agreed upon is that corruption is endemic and is responsible for the nation's underdevelopment since the attainment of independence (Ali, 2017).

According to Jega (2022), Nigeria has, unenviably, been dubbed as one of the most corrupt countries in the world. It is also said to be one of the world's most complex corruption environments and perennially ranks in the bottom quartile of Transparency International's Corruption Perception Index. Similarly, President Muhammadu Buhari (2015) was reported to have lamented during one of his interviews that *"If Nigeria does not kill corruption, corruption will kill Nigeria"*.

The issue of corruption cuts across the entire nation. There are cases of corruption in the National Assembly, the Judiciary, the Executive, the Nigerian Police Force, the Nigerian Army, educational institutions, political parties, civil service, and the press among others. The corruption is extended to the private sector, banking, telecommunications, and oil companies. This sad reality has made Nigeria

to be termed a crippled giant of Africa. The cobweb of corruption has retarded Nigeria's development under both the military and democratic governments.

Page (2018) in his analysis of the effects of corruption on national development in Nigeria avers that; corruption is the single greatest obstacle preventing Nigeria from achieving its enormous potential. It drains billions of dollars a year from the country's economy, stymies development, and weakens the social contract between the government and its people. Nigerians struggle daily to cope with its effects.

In Nigeria since the First Republic, corruption was a major challenge and the fight against it was waged with little success. All the military coups that took place in Nigeria gave corruption as one of the major reasons for their taking over the power of whether a civilian or a military regime. Paradoxically, all the successive administrations both military and civilian were enmeshed and implicated in corruption allegations (Mohammed, Tagowa & Abbare, 2018).

The 2021 Corruption Perception Index (CPI) of Nigeria released by Transparency International shows that Nigeria retained its position as one of the most corrupt nations in the world. In 2019, Nigeria was rated 26th of 180 countries on the scale of corruption. In 2020, the country moved down to the 25th position and in 2021 the rating deteriorated to the 24th position out of 180 countries. The formula of CPI methodology covers perceptions of corruption in doing business, the public sector, and analysis of a country. The score is the perceived level of public sector corruption on a scale of 0-100, where 0 means highly corrupt and 100 means very clean (Transparency International, 2019; 2020; 2021).

From all indications, it appears that Nigeria has almost lost the war on corruption despite the establishment of the ICPC and EFCC twenty years ago. The central questions are; why has the fight against corruption remained intractable? We may add that what are the problems undermining the effective fight against corruption by the EFCC? We may be tempted to ask further; is the role of government implicated in the inability of the EFCC to perform and how can the war against corruption be won? It is against the backdrop of the stated above-raised questions that the paper will interrogate the anti-corruption fight in Nigeria through the purview of the role of EFCC and identify ways of solving the challenges.

The paper is divided into six sections. In section one, the general background of the paper is presented. Section two covers the conceptualization of the major variables in the topic of the EFCC, corruption and anti-corruption. While section three provides a brief historical overview of Nigeria's fight against corruption and the theoretical framework. Section four discusses the types and causes of corruption in Nigeria. Section five dissects the mandate of the EFCC against corruption and the challenges it faces. Finally, section six wraps up the paper with what needs to be done as the way forward.

Conceptual Discourse

The Economic and Financial Crimes Commission (EFCC)

EFCC is an acronym for Economic and Financial Crimes Commission. The EFCC is April 10, 2003 by an Act was first enacted in December, 2002 and amended on June 4, 2004. The Commission is

charged with the responsibility of enforcing all economic and financial crimes laws in Nigeria. The vision of the EFCC is a Nigeria free of economic and financial crime, to eradicate economic and financial crimes through prevention, enforcement and coordination. The EFCC conceived an economic crime is an act of sabotage that affects the economy of a state or nation. For example, pipeline vandalism, illegal oil bunkering, tax evasion (EFCC, 2004).

Therefore, the EFCC is expected by law to perform the following functions;

By Section 7(2) of the Establishment Act 2004; EFCC is charged with the responsibility of enforcing the provisions of laws relating to economic and financial crimes, including:

1. The Money Laundering (Amendment) Act 2004 and 2011 as amended
2. The Advance Fee Fraud and Other Fraud Related Offences Act, 2006
3. The Corrupt Practices and Other Related Offences Act, 2000 (ICPC Act, 2000)
4. The Failed Banks (Recovery of Debts) and Financial Malpractices Banks Act, 1994
5. The Banks and other Financial Institutions Act 1991; and
6. Miscellaneous Offences Act, 1985;
7. Terrorism (Prevention) Act, 2011 and 2013, as amended
8. Any other law relating to economic and financial crimes including the criminal code and the penal code

The Concept of Corruption

We start with the fact that without corruption as a problem they would not be anti-corruption. So, we will begin by understanding the various scholarly conceptions of the meaning of corruption. There is no universally accepted definition of corruption. Most people are familiar with the term "corruption" and have a general idea of what it means. People often associate the term with greed, racketeering, dishonesty, secrecy, and crime, all of which are examples of unethical behavior. Corruption is any anti-social behavior of an individual or group that undermines societal ideals, progress, and development (Mohammed, 2018).

The United Nations Convention Against Corruption (UNCAC) refrains from providing one overarching definition of "corruption". Rather, it defines and classifies various acts of corruption as criminal offenses, such as bribery and embezzlement (in both the public and private sectors); abuse of functions (i.e. when those performing public functions misuse their power to obtain a benefit); trading in influence; illicit enrichment; and money-laundering. With 186 States parties (as of June 2019), UNCAC is approaching universal adherence, and the different acts of corruption defined by the Convention can be considered internationally accepted. This conception was contained in the Doha Declaration of the United Nations Office on Drugs and Crime (UNODC, 2021).

According to the World Bank (2020), Corruption is the abuse of public office for private gain covering a wide range of behavior, from bribery to theft of public funds. Corruption exists all over the world, but it is usually present in countries with weak institutions, often affected by fragility and conflict. For over 20 years, the World Bank has been working at the country, regional, and global levels to help countries build capable, transparent, and accountable institutions to deter

corruption. Illicit Financial Flows (IFFs) are the movement of funds that are either the proceeds of crime or illegally moved or diverted diverting resources from social needs and contributing to poverty and inequality. We are working with governments to help them build capacity in critical areas for reducing IFFs.

The Stolen Asset Recovery Program (StAR), our partnership with the UN, has actively assisted in the freezing or recovery of well over \$1 billion in stolen funds. In December 2017, StAR organized the First Global Forum on Asset Recovery (GFAR) convened by the US and the UK focusing on Nigeria, Sri Lanka, Tunisia, and Ukraine. A memorandum of understanding between Nigeria, Switzerland, and the World Bank was signed, which set out the return of \$321 million of recovered assets (World Bank, 2020).

Transparency International (2019) a Berlin-based anti-corruption organization defines corruption as the abuse of entrusted power for private gain. Corruption erodes trust, weakens democracy, hampers economic development, and further exacerbates inequality, poverty, social division, and the environmental crisis. Exposing corruption and holding the corrupt to account can only happen if we understand the way corruption works and the systems that enable it. To fight corruption, we must embrace Transparency. Transparency is all about knowing who, why, what, how, and how much. It means shedding light on formal and informal rules, plans, processes, and actions. Transparency helps us, the public, hold all power to account for the common good. Seeking and receiving information is a human right that can act as a safeguard against corruption, and increase trust in decision-makers and public institutions. However, transparency is not only about making information available but ensuring it can be easily accessed, understood, and used by citizens.

The ICPC Act defines corruption to include “bribery, fraud and other related offenses”. The word bribery is used interchangeably with gratification, which the Act defines, under Section 8, to mean “money, donation, gift, loan, fee, reward, valuable security, property or interest in property being property of any description whether movable or immovable, or any other similar advantage, given or promised to any person with intent to influence such a person in the performance or non-performance of his duties”. In its conception, the EFCC defines corrupt practices in Section 46 of the EFCC Act, “economic crime means the non-violent criminal and illicit activity committed with the objective of earning wealth illegally either individually or in a group or organized manner thereby violating existing legislation governing the economic activities of government and its administration and includes any form of fraud, narcotic drug trafficking, money laundering, embezzlement, bribery, looting and any form of corrupt practices, illegal arms deal, smuggling, human trafficking and child labor, oil bunkering and illegal mining, tax evasion, foreign exchange malpractices including counterfeiting of currency, theft of intellectual property and piracy, open market abuse, dumping of toxic wastes and prohibited goods, etc.” (ICPC ACT, 2000; EFCC ACT, 2004).

The United Nations Global Programme Against Corruption (UNGPAC) defines it as “abuse of power for private gain”. Corruption is human conduct and nature and it is characterized by human behavior, altitude, desires, greed, and postures. Corruption is fueled by man’s desire and quest to outwit others, amass evil gotten and unaccounted wealth, properties, position, status, recognition, and promotion via

unexplainable, unconventional, unethical, criminal, and questionable means and platforms (Uwaifo, 2018).

Therefore, one thing that runs through most of the conceptions or definitions of corruption is “abuse of power or public trust for private or selfish gain”. Corruption affects every society and appears in multiple forms, such as electoral fraud, illegal voter manipulation, influence peddling, patronage, nepotism, embezzlement, and kickbacks. Corruption is a complex phenomenon, without a uniform definition or conception. Hence, abuse, entrusted power, and private gain become the hallmark of corrupt practices.

Abuse in corruption involves a violation of norms of conduct or professional obligations – explicit or implicit – arising from formal or other entrusted duties. The notion implies decision-making without due impartiality; counter to public policies; or more broadly against the public interest. **Entrusted power** in corruption arises when a person misuses the authority derived from all kinds of formal or professional roles, but also informal or traditional ones. This phrasing covers not only public officials but also individuals working in the private sector, media, civil society actors, and religious leaders. It also covers people such as community elders who hold customary authority. A company employee selling commercial secrets to a competitor is an example of private sector corruption.

Private gain the gain realized through corruption is private because it does not benefit the entity or the collective that the official is entrusted to represent or serve. Private gain expresses the opposite of public good. But the gain need not go directly to the official in question: it may also benefit a designated family member, friend, associate, or political party. Also note that anything of value can constitute a benefit: it's not only money and material goods, but also power and influence, and other advantages – even sexual favors.

The Concept of Anti-Corruption

After the return of Nigeria to democracy in 1999, the first attempt was designed by the ICPC established the Anti-Corruption and Transparency Units (ACTUs) in Ministries, Departments, and Agencies (MDAs) of government as one of its strategies to take the fight against corruption closer to the doorsteps of the public servants. Membership of the units is drawn from within the staff of each organization.

ACTU was therefore created to serve as an extension of ICPC in the MDAs through approval by the government, via the Head of the Civil Service of the Federation circular reference no. OHCSF/MSO/192/94 dated 2nd October 2001. The underlying reason for the establishment of the unit was to complement and strengthen the efforts of the Commission in the areas of monitoring, reporting, and preventing corruption in the MDAs (ICPC, 2021).

The harm inflicted by corruption is globally recognized, including by the UN 2030 Agenda for Sustainable Development where the target for Goal 16 calls on states to substantially reduce corruption and bribery in all their forms (SDGs, 2020).

According to Anti-Corruption Resource Centre (2019) anti-corruption is any approach, system, framework, or policy to address corruption. The approach will involve certain stages and programs

starting with awareness raising and empowerment, prevention, management and leadership, detection, and sanctions. Anti-corruption systems containing these components can be constructed at any scale: the national level, in specific institutions, or even in particular programs, such as development programs. The larger the scale, the more complex the system.

National anti-corruption systems are meant to encompass a myriad of institutions and governance processes, and various segments of society in an inter-related and mutually-reinforcing network of interactions. This approach to countering corruption has been the mainstay of anti-corruption efforts and is reflected in international anti-corruption conventions. However, two decades of pursuing this approach have not resulted in the expected changes. The disappointing results have prompted a great deal of reflection and analysis, including theme-specific findings and recommendations featured.

The USAID (2022) launches its anti-corruption policy document with a core mandate as follows; Our flagship Transforming the Fight Against Corruption Initiative will bring together existing programming to tackle corruption and kleptocracy within countries alongside groundbreaking efforts to tackle corruption across borders. Through this work, we will constrain opportunities for corruption, raise the costs of engaging in corruption and incentivize integrity in the public and private sectors. We are also catalyzing new commitments across climate, humanitarian assistance, global health, peace and security, gender equality, democracy, food security, and other arenas to protect public goods from diversion and build democracies' resilience to foreign cooptation.

International anti-corruption conventions include the following;

United Nations Convention against Corruption, African Union Convention on Preventing and Combating Corruption, Inter-American Convention against Corruption, Council of Europe Criminal Law Convention on Corruption, Council of Europe Civil Law Convention on Corruption, Organization for Economic Cooperation and Development Convention on Combating Bribery of Foreign Public Officials in International Business Transactions among others. However, we know in Nigeria that apart from the formation of the ICPC and EFCC successive governments have planned and executed their anti-corruption policies methodically over the years. Anti-corruption measures must also respond to contextual factors and informal dynamics in particular that both constrain and also create opportunities for engagement (ACRC, 2019).

The importance of the specific reform context is broad to be understood by now. Most practitioners recognize that good anti-corruption practices cannot simply be copied from one country to another. They must at a minimum be adapted to the new legislative and institutional framework, or they may not be 'transplantable' at all. However, the full extent and depth of requisite contextual knowledge of political economy, informal power relations, and the societal norm are only slowly becoming apparent. New and tougher anti-corruption regulations continue to emerge worldwide. All companies need robust anti-corruption measures and practices to protect their reputations and the interests of their stakeholders.

The various approaches to corruption measurement into direct and indirect methods are as follows:

Direct methods of measuring corruption aim at collecting evidence-based information on corruption through statistical and standardized procedures. They measure actual experiences of

corruption, rather than perceptions of corruption, and can include official data (such as reported cases of corruption, conviction figures, and electoral scrutiny findings) and experience-based sample surveys (which collect data on the experience of representative samples of a given population).

Indirect methods of measuring corruption do not gauge the actual occurrence of corruption but are rather based on perceived levels of corruption. They are often used because actual occurrences of corruption are difficult to measure. Indirect methods can be based on expert assessments (where selected experts are asked to assess corruption trends and patterns in a given country or group of countries) or other types of surveys that focus on perceived levels of corruption rather than on actual levels. They are sometimes composite measurements or "surveys of surveys" combining a variety of statistical data into a single indicator (UNODC, 2018).

Historical Overview of the Fights Against Corruption in Nigeria

Nigeria had experienced a long history of colonialism and subsequently long years of military misrule as a post-colonial state. These two important epochs played a very damaging role in the conduct and perception of corrupt practices in Nigeria since independence. The activities of the multinational corporations and the discovery of oil were also attributable to the worsening issue of corruption perception and fight in Nigeria (Mohammed, 2018).

The analysis and understanding of recent anti-corruption measures in Nigeria require a study of the country's history and internal socio-political dynamics. As the eminent historian Stephen Ellis has argued, political corruption in Nigeria was incubated during the colonial era, especially in the crucial 1940s and 1950s, when the then-emerging Nigerian political elites were thrust into positions of political power without any independent financial base with which to finance their political careers. The British colonial policy of discouraging indigenous private entrepreneurship ensured that there were very few entrepreneurs. State coffers were the only available source of funds, and so these elites had little choice but to grab them (Dudley, 1982).

It would be difficult to estimate exactly how much Nigeria has lost to corruption since its independence from Britain in 1960. One source has estimated the loss to be in the region of \$400 billion for the period 1966 to 1999. This would of course consist of income from Nigeria's vast oil resources but also international aid (Ekweremadu, 2012).

As far back as 1983, a renowned Nigerian prolific writer, critic, and social commentator Chinua Achebe described the appalling Nigerian situations as follows:

It is false to suggest, as we are apt to do, that Nigerians are fundamentally different people from any other people in the world. Nigerians are corrupt because the system under which they live today makes corruption easy and profitable; they will cease to be corrupt when the system is made difficult and inconvenient... the trouble with Nigeria is simply and squarely a failure of leadership. There is nothing basically wrong with the Nigerian character. There is nothing wrong with the Nigerian land or climate or water or air or anything else... I am saying that Nigeria can change today if she discovers leaders who have the will, the ability, and the vision (Achebe, 1983 p.1).

To historicize the fight against corruption in Nigeria the country passed through three different phases namely; identification, shaming, and condemnation, forceful seizure of looted public property, and the formal establishment of an institutional mechanism to fight corruption.

- i. 1960-1980: Identification, shaming, and condemnation
- ii. 1983-1999: Forceful seizure of looted public property
- iii. 1999 till date: Formal establishment of an institutional mechanism to fight corruption

The first phase explains post-independent Nigeria's dilemma and the fight against corruption by the politicians of the First Republic. The anti-corruption war is traditional and parochial, and there is no systematically designed policy by Federal Government with clearly spelled-out goals and objectives. The period of 1960-66 civilian government and 1966-1979 the military junta regimes.

The second phase provides the account of the return of the military to cease power. Especially, the Buhari/Idiagbon regime 1983-85 was a continuation of the Murtala/Obasanjo brutal junta which fired over 10,000 deadwoods from the civil service. The politicians of the Second Republic particularly governors were arrested and prosecuted and sentenced to 100, 200, and 300-year imprisonments. Moreover, some of the governors' assets were ceased, bank accounts were frozen and many run into exile. Since this phase is dominated by military regimes it is tagged as a forceful seizure of looted public property.

The third phase starting from 1999 till date witnesses the formal establishment of anti-corruption agencies to prevent and prosecute corrupt persons. At this phase, the major problem has been the political interference and selective prosecution of corrupt individuals and organizations. The continuity and change during this phase have been rewarding the anti-corruption for their understanding. In a similar lamentation, in 2001, whilst inaugurating the Independent Corrupt Practices Commission, President Obasanjo said:

With corruption, there can be no sustainable development, nor political stability. By breeding and feeding on inefficiency, corruption invariably strangles the system of social organization. In fact, corruption is literally the antithesis of development and progress (Obasanjo, 2001).

The above statement captures the reality of the reasons and negative impact of corruption on national development and institutional and political decay in the Nigerian political system.

According to Ihejiamaizu & Egbe (2001) historically speaking corruption had its origin in the legacies of colonialism and the modernizing state development challenges. Therefore, it is important to understand the following factors:

1. The Colonial Heritage: Corruption is the logic of the colonial heritage arising from both the character and legacy of the colonial state and economy. The idea of appropriation, accumulation, and exploitation of the wealth of the colonial state is the basis of this argument. The emerging political class of the new state is indoctrinated to be submissive and also exploits their fellow countrymen.
2. The influence of culture and tradition: In Africa as in (Nigeria) traditional rulers are expected to be "Big Men" "Royal Grandeur" and "Givers" and they show empathy and generosity to their subjects/citizens through sponsorship of events like marriages, festivals and take care of

the army. This culture necessitated the rulers to tax their subjects to service their obligations and expectations of their followers. The leader must provide at all cost syndrome. The “Kola nut” is a traditional gift in appreciation of work done by a superior. The context determines it. If a person asked for it is a corrupt act but if given willingly may be seen as a wishful gift for appreciation and the concept of *Alfarma* (favor or kind gestures).

3. The bureaucratic factor: Modernizing states are caught in the web of bureaucratic elites who manipulate rules and regulations to their advantage. The exogenous demands of a tribe, friends, cliques, and clubs the institutions as conduit pipe of corrupt practices (cited in Mohammed, 2018. p.207).

Theoretical Framework of Analysis: Institutional Theory

The study is anchored on institutional theory as framework of analysis. Within the broader area of organizational studies, institutional theory is a major theoretical perspective. It is used to understand organizational behavior as situated in and influenced by its environment. Organizations operate in a social environment that changes, as a result of new laws, the emergence of new standards, rules or norms, new patterns of behavior, and new participants. Institutional theory seeks to explain how elements such as structures, processes, and professions are created and diffused within and between organizations (Greve 2003, p. 172). It asserts that institutional environment has often more profound impact on the development of those elements than market pressures (Meyer and Rowan 1977), and, as such, it explains organizational behaviors that defy economic rationality (Suddaby 2013). The reason for the power of non-economic drivers is that organizations are striving for legitimacy. The assumption is that despite the claim of meritocracy in institutions the environmental pressures and culture plays important role in determining the success or otherwise of the organizations goals, objectives and activities. The EFCC faces the above challenge directly and indirectly in Nigeria.

In order to clearly examine the impact and trend of Nigeria’s corruption history we presented the data of the Corruption Perception Index for Nigeria.

Table 1: Corruption Perception Index for Nigeria 1995-2021

Year	CPI% Score	Rank
1995	N/A	N/A
1996	0.69	54 out of 54
1997	1.76	52 out of 54
1998	1.0	81 out of 85
1999	16	98 out of 99
2000	12	90 out of 90
2001	10	90 out of 91
2002	16	101 out of 102
2003	14	132 out of 133
2004	16	144 out of 145

2005	19	152 out of 158
2006	22	142 out of 163
2007	22	147 out of 179
2008	27	121 out of 180
2009	25	130 out of 180
2010	24	134 out of 178
2011	24	143 out of 182
2012	27	139 out of 174
2013	25	144 out of 175
2014	27	136 out of 174
2015	26	136 out of 168
2016	32	136 out of 176
2017	28	148 out of 180
2018	27	144 out of 180
2019	26	146 out of 180
2020	25	149 out of 180
2021	24	154 out of 180
2022	24	150 out of 180
2023	25	145 out of 180

Source: Adapted from Transparency International CPI for Nigeria.

The above table presents a historicized CPI ranking for Nigeria since 1995. The seven parameters for the recent CPI ranking called weaknesses include; non-compliance/internal control weaknesses issues in Ministries, Department and Agencies, security sector corruption, failure to investigate high profile corruption cases and prevent illicit financial flows, absence of asset recovery, protection of whistle-blowers, and other key anti-corruption legal frameworks, judicial challenges, corruption in the COVID-19 Response, and weakness, and Twitter ban, shrinking civic space and intimidation of human rights defenders (Vanguard, 2021 January, 25).

Understanding the Typology of Corruption

There is no single accepted typology of corruption globally. Corruption permeates all sectors of society whether government or private organizations in Nigeria. The phenomenon of corruption is found both in developed and developing countries Nigeria inclusive. The only difference is the magnitude and what appears to be a priority of the government to solve the problem of corruption in all ramifications.

Corruption in Nigeria appears to be ubiquitous and takes many forms: from massive contract fraud to petty bribery; from straight-up embezzlement to complicated money laundering schemes; from pocketing the salaries of nonexistent workers to steering plum jobs to relatives and friends. Some

officials enjoy perquisites so excessively that they are widely seen as a form of legalized corruption (Page, 2018).

According to Corruption Control Consultant, in reality, there are many different types of corrupt practices, all of which fit the classical definition of misuse of resources or abuse of office for personal gain, and each of which requires different solutions. Several approaches have been used to classify and distinguish among these different types of corruption, and group them in attempts to find common solutions:

- 1) FACT: Means corrupt practices by; Favoritism, Authority, Competence, and Tribute
- 2) 4 P's: Stands for; Preference, Power, Privilege, and Payment
- 3) MAPP: Means; Money, Assets, People, and Power

The USAID categorized corruption into;

1. **Grand corruption:** when political elites steal large sums of public funds or otherwise abuse power for personal or political advantage.
2. **Administrative corruption:** the abuse of entrusted power for private gain usually by low to mid-level government officials in interactions with citizens and the private sector, including skirting official regulations and extorting citizens in exchange for their basic services.
3. **Kleptocracy:** A government controlled by officials who use political power to appropriate the wealth of their nation. Can include state capture.
4. **State capture:** When private entities improperly and corruptly influence a country's decision-making process for their benefit.
5. **Strategic corruption:** When a government weaponized corrupt practices as a tenet of its foreign policy (USAID, 2022).

However, for our purpose in this paper, we adopted the PriceWaterCoopers (2016) typology based on the manifestation of corruption; grand, petty, and political corruption.

Grand corruption represents the acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good who voted them into office.

Petty corruption is the everyday abuse of entrusted power by low-and-mid-level public officials in their interactions with ordinary citizens trying to access public goods and services.

Political corruption covers those aspects relating to the manipulation of policies, institutions, rules, and procedures in the allocation of resources and financing of political decision-makers, who abuse their position to sustain their power, status, and wealth (PwC, 2016).

Causes of Corruption

There are various causes of corruption in Nigeria. However, it is arguably said that Nigeria's level of corruption is endemically rooted in the nature and character of the state and the attendant consequences. Personal motivations, weak government institutions, greed poverty, bad incentive system, public perception, and unemployment.

Effects of Corruption

Some of the major effects of corruption can be political, economic, social, and environmental. However, in Nigeria these specific effects are as follows: rise in poverty and inequality, increases in the cost of doing business, poor national development, it provides ground for national crisis and violence, it creates distrust in government/political instability, and drives away foreign direct investments (Maier, 1997; Igbuzor, 2017; World Bank, 1997).

In 2017, the United Nations Office for Drugs and Crimes (UNODC) in collaboration with the National Bureau of Statistics (NBS) reported that over N400 billion was given to public officials in Nigeria as bribery and corruption. The Nigeria Police institution was discovered to be the most corrupt with 46.4%, with the Judges/Magistrates at 31.5%, the Customs officers at 26.5%, Tax revenue officers at 27.3%, public utilities at 22.4%, prosecutors at 33.0% (UNODC, 2017).

Table 2: Money Stolen in Nigeria 2006-2013

S/N	Category	NO of Cases	Amount Involved
1	Ex-Governors	15	N146,840,800,000,00
2	Ex-Ministers	4	N7,050,000,000,00
3	Ex-Legislators	5	N8,350,000,000,00
4	Ex-Public Servants	7 (Federal)	N6,906,600,000,00
5	Ex-Public Servants	5 (States)	N7,275,000,000,00
6	Banking Industry	8	N524,560,000,000,00
7	Businessmen	11	N653,150,000,000,00
		Total 55	N1,354,132,400,000,00

Source: Sagay (2017, p. 5).

Sagay that estimated using the current (then) US Dollar exchange rates, only 1/3 of the looted money could have been used to execute the following projects; 635.18 km of roads, built 36 ultra-modern hospitals (1 per state), built 183 schools, and educate 3,974 children from primary to tertiary level at N25, 24 million per child (Mohammed, 2018; Mohammed, Tagowa; Abbare, 2018).

EFCC Mandate on the Fight against Corruption

The preponderance of economic and financial crimes like Advance Fee Fraud (419), and Money Laundering, has had severe negative consequences on Nigeria, including decreased Foreign Direct Investments in the country and tainting of Nigeria's national image. The menace of these crimes and the recognition of the magnitude and gravity of the situation led to the establishment of the Economic and Financial Crimes Commission (EFCC). The legal instrument backing the Commission is the attached EFCC (Establishment) Act 2002 and the Commission has high-level support from the Presidency under Obasanjo (EFCC, 2004).

The Act mandates the EFCC to combat financial and economic crimes. The Commission is empowered to prevent, investigate, prosecute and penalize economic and financial crimes and is charged with the responsibility of enforcing the provisions of other laws and regulations relating to

economic and financial crimes. The formation of the EFCC follows years of Nigeria's struggle for legal instruments to fight corruption, economic, sabotage, and fraud. For example, the various legal instruments below suffice:

1. Economic and Financial Crimes Commission Establishment Act (2004)
2. The Money Laundering Act 1995
2. The Money Laundering (Prohibition) act 2004
3. The Advance Fee Fraud and Other Fraud-Related Offences Act 1995
4. The Failed Banks (Recovery of Debts) and Financial Malpractices in Banks Act 1994
5. The Banks and other Financial Institutions Act 1991; and Miscellaneous Offences Act.

The EFCC has prosecuted several cases since its establishment. One of the High Profile Cases was of the Political Exposed Persons from 2009-2015 which were over 43. This effort has been commended by civil society groups and human rights organizations in Nigeria. A cursory look at the EFCC website reveals official information and statistics covering over 70 press releases. Already, the EFCC had released the National Anti-Corruption Strategy (NACS) 2017-2021, which is anchored on five pillars, namely, prevention, public engagement, ethical re-orientation, enforcement and sanctions, recovery, and management of proceeds of crime.

Table 3: EFCC Operational Statistics (2010-2019)

Year	No. of Petition Received	No. Investigated	No. of Cases Filed in Court	Convictions
2010	6782	2399	206	68
2011	7737	2,606	417	67
2012	4914	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	1901	1,280
Total	73,948	39,970	5,767	2,544

Source: EFCC, 2021.

From the above table, all four items presented on petitions, investigations, cases, and convictions have been on the increase in the last ten years signifying the enormous task of the anti-corruption fights in Nigeria by the EFCC. It is only in the number of filed cases the numbers slightly decrease and increase. The petitions and convictions matter increases simultaneously.

Table 4: Presidential Pardon for Governors Convicted of Corruption Offences

S/N	Name	Position	Amount Stolen	Conviction	Pardon	Year
1	Diepreye Alamieyeseigha	Ex-Governor Bayelsa State (1999-2005)	£1.8 million assets in London	2005	President Goodluck Jonathan	2013
2	Joshua Dariye	Ex-Governor of Plateau State (1999-2007)	N1.126 billion	2018 (10 years imprisonment)	President Muhammadu Buhari	2022
3	Rev. Jolly Nyame	Ex-Governor of Taraba State (1999-2007)	N1.64 billion	2018 (12 years imprisonment)	President Muhammadu Buhari	2022

Source: Authors Compilation, 2024.

The prerogative of Mercy the President has been used in Nigeria in the Fourth Republic to free Politically Exposed Persons (PEPs) that were convicted by court of competent jurisdictions. The most disturbing of the politicization of the Presidential powers applied to score political goal. While the law stated clearly that the President has the power in sections 175 and 212 of the 1999 Constitution as amended it also contain issues to be presented to the Council of State.

As Table 4 above has shown, Diepreye Alamieyeseigha, Joshua Dariye, Rev. Jolly Nyame were the Ex-Governors of Bayelsa State, Plateau State and Taraba State freed by President Good Luck Jonathan in 2013 and President Muhammadu Buhari in 2022 mainly because of their political influences and party affiliations after found guilty as charged. It is worthy to note that both Peoples Democratic Party (PDP), and All Progressives Congress (APC) respectively. The implication of the actions taken to free the convicted Governors have been interpreted as lack of political will to fight corruption, political interference, and selective judgment in general. This also explains why none of the EFCC Chairman successfully ended his tenure without being investigated or sacked.

The Challenges of EFCC in the Anti-Corruption Fight

Many believe that despite the hustle and bustle surrounding the administration of justice of the EFCC in Nigeria, the activities of the commission tend to be astounded when faced with the performance indicators and operating under are relatively harsh socio-political and economic environment known for corruption inclination judgments in favor of the commission claimed EFCC has grown to become a primer Africa Anti-Corruption Agency and its assets recovery level arguably placed the commission un-parallel among any other agency globally (Nwoba & Nwokuwu, 2018).

The scope and complexity of corruption in Nigeria are immense. A new study on corruption taxonomy details 20 overarching contexts (sectors) that are especially vulnerable to corruption. It also identifies 28 corruption tactics in eight behavioral categories that cut across each of these sectors. These categories apply not only to national-level dynamics but also to corruption at the state and local levels which makes the claim all-encompassing (Page, 2018).

The usual often statement is that if you are fighting corruption, it will fight you back. On the challenges facing the EFCC former Chairman of the commission Ibrahim Magu said:

“We do not pretend to have a monopoly of knowledge on how to win the war against corruption. The anti-corruption campaign requires a concerted effort. I enjoin members of the public, including the media, to be part of this effort by reporting cases of corruption to the EFCC. Petitions and complaints can be forwarded to the Commission via our various recognized mediums (Premium Times, 2017).

To address its challenges and consolidate its achievements the EFCC in September, 2021, the commission under Abdurasheed Bawa rolled out its strategic plan 2021-2025 prioritizing prevention over enforcement and emphasizing public education, engagement, intelligence-driven investigation in the fight against corruption in Nigeria (Onyeani, 2021).

The pioneer chairman of the EFCC Nuhu Ribadu reveals the most challenging part of the anti-corruption fight so far; law enforcement is dangerous work, and the EFCC’s targets fought back. He survived assassination attempts, two of his staff were not so lucky but killed. Nevertheless, the casualties incurred in the fight against corruption are not in vain. “It’s a sacrifice that is worth doing. It’s probably the only hope we have unless we can address and stop this, we will not be able to solve the other problems confronting us (Centre for Global Development, undated).

Therefore, specifically, we can say that the anti-corruption fight has monumental challenges that need to be addressed. First, it requires the support of Nigerians to report and despise criminals and money bags. Secondly, non-interference of the Federal Government and some powerful political elites in the anti-corruption campaign. The importance of this is that it would prevent selective justice and stop the protection of sacred cows. Thirdly, funding the commission to meet its needs. Fourthly, judicial support and speedy trial of criminals. Fifthly, the deployment of modern information and communication technology to fight cybercrime and internet fraud.

It may interest us to be aware that none of the EFCC Chairman leaves office ceremonially. Those that served as head of EFCC were removed disgracefully like Waziri and Magu and covertly and cleverly like Ribadu and Lamurde.

The Way Forward in Anti-Corruption Fight

The anti-corruption fight is a national challenge that needs every Nigerian support and participation as a collective duty (Ribadu, 2015). What needs to be has been summarized to us by Ribadu the pioneer chairman of the EFCC (2003-2007) there are 12 pragmatic ways to tackle endemic corruption in Nigeria Education is important to this process. Citizens need to be sufficiently educated to be able to sieve right from wrong and demand what is right (Ribadu, 2016).

The big question is, how do we tackle corruption and minimize its cancerous spread on this ladder that is public life? How do we stop the termites from eating off the parts that make up this ladder that may stop our country from ascending to the Eldorado of progress? Ribadu (2016) identified the following 12 ways to apply into in the fight against corruption in Nigeria.

1. Leadership is essential. Leadership at all levels and political will to fight corruption.
2. Honesty has to be lifted to the position of a prized and rewarding national value.
3. All government expenditures are budgeted including the extra-budgetary and security votes be phased out.
4. Transparency should be the keyword in all government businesses; from budgeting to contracts, and employment.
5. Smart technology is deployed in the procurement process.
6. Cash transactions are completely abolished or minimized.
7. Weed out corruption in our electoral process.
8. The CSOs and media be vigilant and honest and act as watchdogs.
9. Red tape and administrative bottlenecks in bureaucracy be tackled.
10. Subsidy should be phased out by the government like in the petroleum sector.
11. Education is very important to citizens in this process of change and reform.
12. Nigerians individually and collectively must shun corruption entirely.

Therefore, it is strongly believed that to achieve all the aforementioned 12 strategies we need education. Hence, the need for the introduction of corruption in the curriculum of our schools at primary, secondary, and tertiary levels. Nigeria has to reform its educational policies and programs to capture this urgent need for national transformation and sustainable development.

Conclusion

In this paper attempt, has been made to the history, nature, and dynamics of anti-corruption fights against corruption in Nigeria. The war against corruption is still ongoing with much success and some challenges that to be addressed to achieve maximum listing victory over corrupt elements. Corruption has done un-quantifiable damage to Nigeria's national image globally apart from arresting the socioeconomic and political development of the country. The most dangerous corruption in Nigeria is the political corruption that undermines political will, and national unity promotes disunity, emboldens separatism, and bastardizes democratic consolidation. Unless Nigeria solves and wins the anti-corruption question and fight the country will remain entrapped in a quandary of political and economic mirage for development.

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