

**STRENGTHENING LEGAL AND INSTITUTIONAL FRAMEWORKS TO  
COMBAT PUBLIC CORRUPTION IN NIGERIA: A LEGAL REFORM**

**BY**

**Jude Edobor IMAGBEGHIAN  
PG/LAW9703231**

**FACULTY OF LAW  
UNIVERSITY OF BENIN  
BENIN CITY**

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**BEING A LONG ESSAY SUBMITTED TO THE FACULTY OF LAW, UNIVERSITY  
OF BENIN, IN PARTIAL FULFILLMENT OF THE REQUIREMENT FOR THE  
AWARD OF MASTERS OF LAWS (LL.M) DEGREE**

**OCTOBER, 2025**

## **CERTIFICATION**

I, **Jude Edobor IMAGBEGHIAN** with Matriculation Number, **PG/LAW9703231** hereby certify that, with the exception of references to the works and opinions of other writers duly acknowledged herein, this entire project is a product of my personal research and findings. It has, neither in whole or in part, been presented for another degree elsewhere.

---

**Jude Edobor IMAGBEGHIAN**  
**PG/LAW9703231**

## **APPROVAL**

We certify that this project work was researched, written, and completed by **Jude Edozor IMAGBEGHIAN** with Matriculation Number, **PG/LAW9703231**, in partial fulfillment of the requirements for the award of degree of Masters of Laws (LL.M) of the University of Benin.

\_\_\_\_\_  
**DR. JACOB O. GARUBA**  
**PROJECT SUPERVISOR**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**PROF. D.U ODIGIE**  
**FACULTY PG REPRESENTATIVE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**PROF. BRIGHT BAZUAYE**  
**DEAN OF LAW**

\_\_\_\_\_  
**DATE**

## **DEDICATION**

This project is dedicated to Almighty God the giver of wisdom for the mental health and ability to complete this work.

## ACKNOWLEDGEMENTS

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*Public Prosecutor v. Eni, Shell, et al.*, Case No. 5472/16.

## ABBREVIATIONS

|                    |   |  |
|--------------------|---|--|
| AGF                | - | Attorney-General of the Federation                       |
| CBN                | - | Central Bank of Nigeria                                  |
| CCB                | - | Code of Conduct Bureau                                   |
| CCT                | - | Code of Conduct Tribunal                                 |
| CFRN               | - | Constitution of the Federal Republic of Nigeria          |
| CPI                | - | Corruption Perceptions Index                             |
| EFCC               | - | Economic and Financial Crimes Commission                 |
| GDP                | - | Gross Domestic Product                                   |
| ICPC<br>Commission | - | Independent Corrupt Practices and Other Related Offences |
| IPPIS              | - | Integrated Payroll and Personnel Information System      |
| IPSAS              | - | International Public Sector Accounting Standards         |
| LFN                | - | Laws of the Federation of Nigeria                        |
| NBA                | - | Nigerian Bar Association                                 |
| NGOs               | - | Non-Governmental Organisations                           |
| NHIS               | - | National Health Insurance Scheme                         |
| NLC                | - | Nigeria Labour Congress                                  |
| OPL                | - | Oil Prospecting License                                  |
| SAN                | - | Senior Advocate of Nigeria                               |
| SNA                | - | System of National Accounts                              |
| TSA                | - | Treasury Single Account                                  |
| UBE                | - | Universal Basic Education                                |
| UNDP               | - | United Nations Development Programme                     |

## **ABSTRACT**

The study examines the legal and institutional frameworks for combating public corruption in Nigeria and proposes reforms to enhance accountability and governance. The objectives are twofold: to examine the existing legal framework for anti-corruption efforts and to recommend measures for reducing corruption in the public sector. The study adopted a doctrinal research methodology, case method, providing a historical overview of Nigeria's anti-corruption institutions and their successes and limitations. Findings indicate that despite the implementation of various preventive and punitive measures, corruption remains widespread due to weak enforcement, limited transparency, and institutional inefficiencies. The analysis demonstrates that strengthening accountability mechanisms through both answerability and enforceability of public officials can improve the efficiency of the public sector and ensure national resources are directed toward development initiatives. The study contributes to knowledge proposing for a holistic and proactive legal framework to make public institutions in the country to be independent in order to be able to drive the policy of the country rather than being built around individuals. Based on the findings, the study recommends enhancing institutional capacity, improving enforcement of anti-corruption laws, promoting transparency, and cultivating a culture of integrity among public officials. Overall, the research underscores that legal and institutional reforms are essential for reducing corruption, improving governance, and ensuring that public resources are effectively managed to achieve sustainable national development.

## CHAPTER ONE

### INTRODUCTION

Political corruption has entrenched itself as a defining obstacle to Nigeria's growth and development, corroding the foundations of governance and perpetuating a cycle of economic stagnation, institutional decay, and social disillusionment. Despite the constitutional safeguards enshrined in the *1999 Constitution of the Federal Republic of Nigeria (as amended)*<sup>1</sup>, alongside statutory interventions such as the *Corrupt Practices and Other Related Offences Act 2000* and the *Economic and Financial Crimes Commission (Establishment) Act 2004*<sup>2</sup>, corruption remains pervasive at all levels of government. From the embezzlement of public funds to electoral malpractices, bribery, and judicial compromise, the consequences of political corruption transcend financial loss, striking at the heart of national development.

Historically, landmark judicial pronouncements, such as *Attorney-General of Ondo State v. Attorney-General of the Federation*<sup>3</sup>, have attempted to delineate the boundaries of federal anti-corruption powers, reinforcing the necessity of legal scrutiny in governance. More recently, the conviction of former Plateau State Governor in *FRN v. Dariye*<sup>4</sup> signified a step toward accountability. Yet, these isolated victories have done little to dismantle a deeply entrenched system of political patronage and impunity.

The Nigerian economy; despite its vast resource endowment, continues to grapple with the paradox of wealth amidst widespread poverty, a reality exacerbated by systemic corruption. Public funds that should drive infrastructural development, healthcare, and education are siphoned into private coffers, stalling national progress. This research critically examines the nexus between political corruption and underdevelopment, interrogating the role of legal institutions, governance structures, and anti-corruption mechanisms in reversing this trend.

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<sup>1</sup> *Constitution of the Federal Republic of Nigeria, 1999* (as amended).

<sup>2</sup> *Corrupt Practices and Other Related Offences Act, Cap C31, Laws of the Federation of Nigeria (LFN) 2004*

<sup>3</sup> *Attorney-General of Ondo State v. Attorney-General of the Federation* [2002] 9 NWLR (Pt. 772) 222

<sup>4</sup> *Federal Republic of Nigeria v. Joshua Chibi Dariye* (2018) LPELR-43934(CA).

By appraising both the legislative and judicial responses to corruption, this study seeks to unravel the complexities of Nigeria's governance crisis and propose viable strategies for reform.

## **1.1 Background of The Study**

Nigeria, Africa's most populous nation and largest economy is a country of immense potential. Endowed with vast natural resources, a youthful population, and a strategic geopolitical position, Nigeria has long been regarded as a regional powerhouse. However, its trajectory of growth and development has been persistently undermined by systemic political corruption, a malaise that has permeated every facet of its governance and socio-economic structures. Political corruption in Nigeria is not merely a contemporary issue; it is deeply rooted in the country's history, tracing back to the colonial era and exacerbated by post-independence governance failures. The consequences of this corruption are profound, stunting economic growth, perpetuating poverty, and eroding public trust in institutions.

The legal and institutional framework to combat corruption in Nigeria exists, at least on paper. The 1999 Constitution of the Federal Republic of Nigeria (as amended)<sup>5</sup> enshrines principles of accountability and transparency in public office. Key anti-corruption agencies such as the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and Other Related Offences Commission (ICPC) were established to investigate and prosecute corruption cases. Landmark legislation like the Corrupt Practices and Other Related Offences Act 2000 and the Money Laundering (Prohibition) Act 2011 (as amended)<sup>6</sup> provide the legal backbone for these efforts. Yet, despite these mechanisms, corruption remains endemic, suggesting a disconnect between legal provisions and their enforcement.

One of the most glaring examples of political corruption's impact on Nigeria's development is the mismanagement of oil revenues, the country's primary source of income. The Niger

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<sup>5</sup> Ibid

<sup>6</sup> Ibid

Delta, which produces the bulk of Nigeria's oil, remains one of the most underdeveloped regions in the country. The looting of public funds meant for development projects has been well-documented. For instance, the case of *Federal Republic of Nigeria v. James Ibori*<sup>7</sup> highlights how a former state governor siphoned millions of dollars meant for public welfare into private accounts. Similarly, the infamous *Malabu Oil Scandal*, involving the fraudulent allocation of Oil Prospecting License (OPL)<sup>8</sup>, underscores how corruption in the oil sector has deprived Nigeria of billions of dollars in revenue, funds that could have been channeled into infrastructure, education, and healthcare.

Political corruption also undermines Nigeria's democratic institutions. Elections, which should be the cornerstone of democracy, are often marred by vote-buying, rigging, and violence. The case of *PDP v. INEC & Ors*<sup>9</sup> exposed the extent to which electoral malpractice is entrenched in the system. When leaders ascend to power through corrupt means, their legitimacy is compromised, and their commitment to public welfare is often secondary to personal enrichment. This creates a vicious cycle where corrupt leaders perpetuate systems that enable further corruption, leaving little room for meaningful development.

The economic ramifications of political corruption are staggering. According to Transparency International's Corruption Perceptions Index (CPI), Nigeria consistently ranks among the most corrupt nations globally. This perception deters foreign investment, as investors are wary of unstable and corrupt environments. The lack of transparency in public procurement processes, as seen in cases like the *Dasukigate scandal*<sup>10</sup>, where funds earmarked for arms procurement to combat Boko Haram were diverted for political purposes, further eroding confidence in the government's ability to manage resources effectively.

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<sup>7</sup> *Federal Republic of Nigeria v. James Ibori* (2007) (Unreported, Charge No. FHC/ABJ/CR/2007).

<sup>8</sup> *Public Prosecutor v. Eni, Shell, et al.*, Case No. 5472/16, Tribunale di Milano (Milan Tribunal), Italy (2018)

<sup>9</sup> *Peoples Democratic Party & Anor v. Independent National Electoral Commission & Ors* (2019) LPELR-48101 (CA).

<sup>10</sup> *Federal Republic of Nigeria v. Col. Sambo Dasuki (Rtd.) & Ors* (2015) Unreported, Charge No. FHC/ABJ/CR/2015.

Moreover, corruption exacerbates inequality and poverty. While a small elite amasses wealth through illicit means, the majority of Nigerians struggle to access basic services. The United Nations Development Programme (UNDP) reports that over 40% of Nigerians live below the poverty line, a statistic that is inextricably linked to corruption.<sup>11</sup> Funds meant for social programs, such as the Universal Basic Education (UBE) scheme and the National Health Insurance Scheme (NHIS), are often embezzled, leaving millions without access to quality education and healthcare.

The judiciary, which should serve as a check on executive and legislative excesses, has not been immune to corruption. Cases like *Justice Ngwuta v. Federal Republic of Nigeria*<sup>12</sup>, where a Supreme Court justice was accused of receiving bribes, highlighting the rot within the system. When the judiciary is compromised, the rule of law is undermined, and impunity thrives.<sup>13</sup> This creates an environment where corrupt officials operate with little fear of consequences, further entrenching the culture of corruption.

It must be noted that, political corruption is a significant impediment to Nigeria's growth and development. It distorts economic policies, undermines public institutions, and perpetuates poverty and inequality. While legal and institutional frameworks exist to combat corruption, their effectiveness is hampered by weak enforcement, lack of political will, and a culture of impunity. Addressing this issue requires not only strengthening anti-corruption agencies and ensuring the independence of the judiciary but also fostering a culture of accountability and transparency at all levels of governance. Until Nigeria confronts the scourge of political corruption head-on, its aspirations for sustainable development and inclusive growth will remain elusive. The words of Former President Olusegun Obasanjo, ring true: "Corruption is

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<sup>11</sup> United Nations Development Programme (UNDP), *Human Development Report 2021/2022: Uncertain Times, Unsettled Lives: Shaping Our Future in a Transforming World* (UNDP, 2022).

<sup>12</sup> *Federal Republic of Nigeria v. Justice Sylvester Ngwuta* (2017) LPELR-43391(SC).

<sup>13</sup> Susan Rose-Ackerman, "Establishing the Rule of Law" in Robert I. Rotberg (ed), *When States Fail: Causes and Consequences* (Princeton University Press, 2004) 183.

the greatest single bane of our society today.”<sup>14</sup> The fight against corruption is not just a legal battle; it is a moral imperative for Nigeria’s survival and prosperity.

## 1.2 Statement of Problem

Political corruption in Nigeria is not merely a symptom of weak institutions; it is a deeply entrenched phenomenon that has distorted public policy, eroded trust in governance, and diverted critical resources away from national development priorities. The consequences are stark: dilapidated infrastructure, inadequate healthcare and education systems, rising unemployment, and a growing disillusionment among citizens.

The legal and institutional frameworks designed to combat corruption, such as the *Corrupt Practices and Other Related Offences Act 2000*<sup>15</sup>, the *Money Laundering (Prohibition) Act 2011 (as amended)*<sup>16</sup>, and the establishment of anti-corruption agencies like the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and Other Related Offences Commission (ICPC), have largely failed to achieve their intended objectives. High-profile cases such as *Federal Republic of Nigeria v. James Ibori*<sup>17</sup>, which exposed the embezzlement of public funds by a state governor, and the *Malabu Oil Scandal*<sup>18</sup>, involving the fraudulent allocation of Oil Prospecting License (OPL) 245, illustrate the audacity and scale of corruption in Nigeria. Yet, these cases also reveal the systemic challenges in prosecuting corruption, including political interference, weak enforcement mechanisms, and a culture of impunity.

The problem is further compounded by the impact of corruption on Nigeria’s democratic institutions. Electoral processes, which should serve as the foundation of democratic governance, are often marred by vote-buying, rigging, and violence, as seen in *PDP v. INEC*

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<sup>14</sup> G. Wasinda, I. Reuben & M. Mohammed, “The Chemistry of Corruption in Nigeria and the Way Forward” (2020)

<sup>15</sup> Ibid

<sup>16</sup> Ibid

<sup>17</sup> *Federal Republic of Nigeria v. James Ibori* (2007) (Unreported, Charge No. FHC/ABJ/CR/2007).

<sup>18</sup> Public Prosecutor v. Eni, Shell, et al., Case No. 5472/16, Tribunale di Milano (Milan Tribunal), Italy (2018)

& *Ors*<sup>19</sup>. When leaders ascend to power through corrupt means, their legitimacy is compromised, and their governance is often characterized by a lack of accountability and a focus on personal enrichment rather than public welfare.<sup>20</sup> This creates a vicious cycle where corrupt leaders perpetuate systems that enable further corruption, leaving little room for meaningful development.

Moreover, the economic ramifications of political corruption are profound. Nigeria consistently ranks poorly on Transparency International's Corruption Perceptions Index (CPI), deterring foreign investment and hindering economic growth. The mismanagement of public funds, as exemplified by the *Dasukigate Scandal*<sup>21</sup>, where \$2.1 billion earmarked for arms procurement to combat Boko Haram was diverted for political purposes, underscores the extent to which corruption undermines national security and development. The judiciary, which should serve as a check on executive and legislative excesses, has not been immune to corruption, as evidenced by cases like *Justice Ngwuta v. Federal Republic of Nigeria*<sup>22</sup>, where a Supreme Court justice was accused of receiving bribes. When the judiciary is compromised, the rule of law is undermined, and impunity thrives.

The central problem, therefore, is this: How has political corruption impeded Nigeria's growth and development, and what are the systemic, institutional, and socio-economic factors that perpetuate this phenomenon? This research seeks to critically appraise the impact of political corruption on Nigeria's development trajectory, examining its manifestations, consequences, and the efficacy of existing legal and institutional frameworks in addressing it. By interrogating key case laws, legislation, and empirical evidence, this study aims to provide

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<sup>19</sup> Ibid

<sup>20</sup> Johnston, M. (2005). *Syndromes of Corruption: Wealth, Power, and Democracy*. Cambridge: Cambridge University Press.

<sup>21</sup> *Federal Republic of Nigeria v. Col. Sambo Dasuki (Rtd.) & Ors*, Federal High Court of Nigeria, Abuja Division, Charge No. FHC/ABJ/CR/2015 (2015).

<sup>22</sup> Ibid

a nuanced understanding of the problem and propose actionable recommendations for breaking the cycle of corruption and fostering sustainable development in Nigeria.

In a country where over 40% of the population lives below the poverty line<sup>23</sup>, and where corruption continues to drain billions of dollars annually from public coffers, this research is not merely an academic exercise; it is a moral imperative. The findings of this study will contribute to the broader discourse on governance, accountability, and development in Nigeria, offering insights that are relevant not only to policymakers but also to civil society, the private sector, and the international community. Ultimately, this research seeks to answer a pressing question: Can Nigeria overcome the scourge of political corruption and realize its full potential as a prosperous and equitable nation?

### **1.3 Research Objectives**

1. To critically analyze the legal and institutional framework for combating political corruption in Nigeria.
2. To assess the impact of political corruption on Nigeria's economic growth and development and how corrupt practices, such as embezzlement, money laundering, and abuse of public office, have contributed to economic stagnation, unemployment, and poor infrastructure development.
3. To evaluate the role of the judiciary in adjudicating political corruption and high-profile corruption cases in Nigeria
4. To compare Nigeria's anti-corruption legal framework with global best practices in countries like Singapore, South Africa, and the United States.
5. To propose legal and policy reforms aimed at strengthening Nigeria's anti-corruption efforts

### **1.5 Research Scope**

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<sup>23</sup> United Nations Development Programme (UNDP), *Human Development Report 2021/2022: Uncertain Times, Unsettled Lives: Shaping Our Future in a Transforming World* (New York: UNDP, 2022).

The study is broadly focused on the impact of political corruption on Nigeria's growth and development, with a specific emphasis on its economic, social, and political dimensions. The scope encompasses an analysis of key legal frameworks, such as the *1999 Constitution of the Federal Republic of Nigeria (as amended)*, the *Corrupt Practices and Other Related Offences Act 2000*, and the *Money Laundering (Prohibition) Act 2011 (as amended)*, as well as the roles of anti-corruption agencies like the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and Other Related Offences Commission (ICPC). The study will also examine high-profile corruption cases, including *Federal Republic of Nigeria v. James Ibori*, the *Malabu Oil Scandal*, and *Justice Ngwuta v. Federal Republic of Nigeria*, to illustrate the systemic nature of corruption and its far-reaching consequences.

Geographically, the study is limited to Nigeria, with a focus on both federal and state levels of governance. The temporal scope covers the period from Nigeria's return to democratic rule in 1999 to the present, a timeframe that has witnessed significant corruption scandals and anti-corruption efforts. The study will also draw on empirical data from reputable sources such as Transparency International's Corruption Perceptions Index (CPI) and the United Nations Development Programme (UNDP) reports to provide a quantitative assessment of corruption's impact on Nigeria's development indicators.

The scope of this study is deliberately broad to capture the multifaceted nature of political corruption and its implications for Nigeria's growth and development. However, it will not delve into corruption in the private sector, as the primary focus is on political corruption and its impact on public governance and national development. By limiting its scope to political corruption, this study aims to provide a focused and in-depth analysis that can inform targeted interventions and policy reforms. Ultimately, this research seeks to contribute to the

global body of knowledge on corruption while offering practical solutions tailored to Nigeria's unique context.

### 1.6 Research Methodology

The study adopted a doctrinal method of research. The methodology is designed to ensure rigor, depth, and relevance, drawing on a variety of data sources and analytical techniques to address the research questions effectively. It relies on primary data from interviews with key stakeholders such as anti-corruption officials, legal experts, policymakers and secondary data from case laws, legislations such as *Corrupt Practices and Other Related Offences Act 2000*, and reports e.g., Transparency International, UNDP. Thematic analysis will be used to interpret interview responses and case studies, while the principal-agent theory and institutional theory will guide the analysis. Ethical considerations, such as informed consent and confidentiality, will be upheld. The study aims to provide a nuanced understanding of corruption's systemic impact and offer actionable policy recommendations.

### 1.6 Significance of The Study

Political corruption in Nigeria is not just a governance issue; it is a national crisis that has stifled the country's growth and development for decades. This study is significant because it seeks to unravel the intricate ways in which corruption has become a systemic barrier to Nigeria's progress, offering a comprehensive appraisal of its impact on economic, social, and political development. By examining landmark cases such as *Federal Republic of Nigeria v. James Ibori*<sup>24</sup>, the *Malabu Oil Scandal*<sup>25</sup>, and the *Dasukigate Scandal*<sup>26</sup>, this research highlights the audacity and scale of corruption in Nigeria, as well as the failure of existing legal and institutional frameworks to effectively combat it. These cases, alongside legislation such as the *Corrupt Practices and Other Related Offences Act 2000* and the *Money*

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<sup>24</sup> Ibid

<sup>25</sup> Ibid

<sup>26</sup> Ibid

*Laundering (Prohibition) Act 2011 (as amended)*, provide a critical lens through which to assess the efficacy of Nigeria's anti-corruption efforts.

The significance of this study lies in its potential to contribute to the ongoing discourse on governance and development in Nigeria. By interrogating the root causes and consequences of political corruption, this research aims to provide actionable insights for policymakers, civil society, and international stakeholders. It also seeks to empower citizens with a deeper understanding of how corruption undermines their collective well-being, fostering a demand for accountability and transparency. Furthermore, this study is timely, as Nigeria continues to grapple with rising poverty, unemployment, and insecurity; issues that are exacerbated by corruption. The findings of this research will not only inform policy but also serve as a rallying cry for systemic reform, offering a roadmap for breaking the cycle of corruption and unlocking Nigeria's vast potential.

## CHAPTER TWO

### CONCEPTUAL FRAMEWORK AND LITERATURE REVIEW

This chapter will attempt to establish the conceptual and theoretical basis on which our study will be grounded. Definition is particularly important as ambiguous words may disorganize law and socio-political studies. Explaining the main notions will ensure that the main terms, which we apply, are based on the academic discourse and correspond to our research objectives.<sup>27</sup>

This section of the research does not only define words; it also creates the theoretical structure on which we base our analysis. Theoretical lenses do not merely influence our interpretation of data, but they also influence the direction that our arguments and critiques take.<sup>28</sup> We will thus analyze theories that are pertinent to the topic at hand and explain why they are so appropriate as the basis of our research.

Besides basing our concepts and theories, this chapter also positions the research within the extant body of scholarly literature. The literature review is not a checklist of what has been already done in scholarship; it is a critical assessment of the thematic strands of scholarship indicating where works agree and point in different directions.<sup>29</sup> This will enable us to credit previous research work and point out the gaps or limitations that have been left. According to Webster and Watson, a literature review must not be descriptive alone but create a premise on the basis of new research based on synthesis and critique.<sup>30</sup>

In this respect, the chapter is divided into three major sections. First, we explain the main terms and constructs that we focus on in our research. Second, we build the theory, which refers to the perspectives to guide our research. Third, we perform a thematic review of

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<sup>27</sup> Creswell J W, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*, 4th ed (Sage Publications 2014) Thousand Oaks, CA.

<sup>28</sup> Bryman A, *Social Research Methods*, 5th ed (Oxford University Press 2016) Oxford.

<sup>29</sup> Hart C, *Doing a Literature Review: Releasing the Research Imagination*, 2nd ed (Sage Publications 2018) London.

<sup>30</sup> Webster J and Watson R T, 'Analyzing the Past to Prepare for the Future: Writing a Literature Review' *MIS Quarterly* [2002] 26(2) xiii–xxiii.

pertinent academic sources, and we conclude the paper with finding out the research gap that our study is going to fill. In so doing the chapter guarantees that our research is well embedded within the established academic discourse and on the other hand puts a lot of emphasis on its originality and contribution to knowledge.

## **2.1 Conceptual Framework: Key Concepts**

Corruption as a phenomenon has been explored in numerous fields, but it is a multidimensional phenomenon. Nye views corruption as any behaviour that is outside of the official obligations of an office in public due to personal-regarding benefits, i.e. wealth or office.<sup>31</sup> Heidenheimer, Johnston and LeVine take a similar position, defining political corruption as the misuse of a political office in the quest to generate individual gain and hence separating it to bureaucratic corruption, which occurs in the administrative processes.<sup>32</sup> Johnston goes further to define corruption into more specific syndromes, which lie between grand corruption at the elite level, and petty and minor types of corruption embedded in the delivery of the services in the populace.<sup>33</sup>

Corruption is often placed in a continuum of scale in the academic literature. Grand corruption is the big-time misuse of power by a political elite, usually in the form of huge amounts of money and gross policy perversion.<sup>34</sup> Petty corruption, by contrast, concerns smaller, everyday transactions between citizens and lower-level officials. Robinson adds another dimension of distinguishing between incidental corruption where there are isolated

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<sup>31</sup> J.S. Nye, 'Corruption and Political Development: A Cost-Benefit Analysis' [1967] 61(2) American Political Science Review 417.

<sup>32</sup> A.J. Heidenheimer, M. Johnston and V.T. LeVine, *Political Corruption: A Handbook* (Transaction Publishers 1993).

<sup>33</sup> M. Johnston, *Syndromes of Corruption: Wealth, Power, and Democracy* (Cambridge University Press 2005).

<sup>34</sup> S.A. Igbinedion, 'Socio-Legal Evaluation of Grand Corruption in Africa' [2017] 4(1) *Journal of Comparative Law in Africa* 86.

acts of corruption and systemic where there is institutionalization and expectations of corruption in political and social systems.<sup>35</sup>

Such typologies are especially relevant to the Nigerian case, in which corruption assumes a variety of forms in interrelation. Electoral malpractice such as vote purchasing, electoral manipulation and electoral commission interference are some of the ways through which political corruption is practiced which undermines democratic legitimacy. Embezzlement of public funds, notably from oil revenues and procurement contracts, exemplifies grand corruption. The rule of law is compromised by judicial compromise, whereby legal decisions are affected by bribes or pressure by the executive.

Furthermore, systemic corruption is typified by nepotism and favoritism, a state of affairs whereby appointments and the distribution of state resources are directed by kinship or ethnicity or partisanship instead of merit.<sup>36</sup> In its most ingrained form, state capture in Nigeria has been marked by dominant elites and other private individuals influencing policy, legislation and regulation to protect their interests at the cost of the general population.<sup>37</sup>

In the context of this thesis, political corruption will thus be defined as the malpractice of entrusted political power, whether of grandiose scale or petty scale, whether under a single person or diffusing itself throughout systemic arrangements, in terms of electoral manipulation, embezzlement of state resources, judicial betrayal, nepotism, and state capture. Therefore, corruption is being understood here not as a single incidence of wrongdoing, but as a complex phenomenon that undermines accountability, hollows out institutional integrity and hinders the governance and development processes.

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<sup>35</sup> M. Robinson, 'Corruption and Development: An Introduction' [1998] 10(1) *The European Journal of Development Research* 1.

<sup>36</sup> D.E. Agbibo, 'Between Corruption and Development: The Political Economy of State Robbery in Nigeria' *Journal of Business Ethics* [2012] 108(3) 325.

<sup>37</sup> J.S. Hellman, G. Jones and D. Kaufmann, 'Seize the State, Seize the Day: State Capture, Corruption and Influence in Transition' (2000) SSRN Working Paper <https://ssrn.com/abstract=240555> accessed 27 August 2025.

On the other hand, economic growth has long been seen in academic literature as the constant increase in aggregate output, measured using national statistical compilations, most typically Gross Domestic Product (GDP)<sup>38</sup> and its per-capita equivalent, compiled under the internationally agreed-upon System of National Accounts (SNA).<sup>39</sup> These numerical measures record a cumulative total value added in a national economy and when these are divided by the resident population provide a crude estimate of average income and material standards of living. However, a large body of academic literature warns that GDP-based indicators are important, albeit necessary, to the diagnosis of the macro-economy, but do not provide a complete picture of social welfare. They institutionalize understatement of distributive equity, ignore non-market inputs, discount environmental externalities and qualitative aspects of human experience. Building out of this important view, the Commission on the Measurement of Economic Performance and Social Progress by Stiglitz S Sen Fitoussi explicitly suggests the addition of multidimensional indicators of well-being and sustainability to GDP.<sup>40</sup>

As a result, the analysis of national development in the current thesis is as a more broadly conceived normative and analytical construct. Based on the approach to development of Amartya Sen, development is understood as the enhancement of real freedoms of individuals to do and become valued doing and being (i.e., functioning's); capabilities are substantive enablers of the latter. Income growth will play an instrumental role in this framework, but development when defined well, is to be seen as an expansion of real options: longer, healthier lives, education, politics and a sense of dignity and security.<sup>41</sup> This inclination

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<sup>38</sup> World Bank, 'GDP per capita—Glossary; World Development Indicators Metadata' [https://databank.worldbank.org/metadataglossary/statistical-capacity-indicators/series/5.51.01.10.gdp?utm\\_source=](https://databank.worldbank.org/metadataglossary/statistical-capacity-indicators/series/5.51.01.10.gdp?utm_source=) accessed 27 August 2025

<sup>39</sup> United Nations, European Commission, International Monetary Fund, Organisation for Economic Co-operation and Development and World Bank, System of National Accounts 2008 (2009).

<sup>40</sup> J.E. Stiglitz, A. Sen and J.P. Fitoussi, Report by the Commission on the Measurement of Economic Performance and Social Progress (2009) <https://www.ofce.sciences-po.fr/pdf/dtravail/WP2009-33> accessed 26 August 2025.

<sup>41</sup> A. Sen, Development as Freedom (A. Knopf 1999).

concur with the Human Development tradition, which describes development as a process of expanding peoples' options and with modern philosophical descriptions that describe freedom as an end to and an intrinsic part of development.<sup>42</sup>

In this connection, although growth can fund public goods, create jobs, and raise average incomes, it is an adequate, but not a sufficient premise of development. High GDP can be accompanied by deprivation, exclusion or powerlessness without the presence of fair distribution, effective and accountable institutions, and safeguards of the political and civil freedoms.<sup>43</sup> This fundamental difference, which has been long highlighted by development theorists since Dudley Seers, and which is mirrored in the Human Development Reports, forms the conceptual base of the thesis: progress has to be measured in many-dimensional terms, not by just output measures.<sup>44</sup>

In this perspective, corruption negatively affects growth and development in a chain reaction format. Empirical evidence on the side of growth suggests that increased corruption is linked to decreased investment, wasted talent and capital, low productivity and slowed growth in per-capita income.<sup>45</sup> Corruption on the development side undermines institutional capacity, the rule of law and service delivery, distorts public expenditure out of human development priorities, and impedes effective freedoms of citizens- all the capabilities and functioning that make development.<sup>46</sup> The accrued evidence the cross-country econometrics, industry research, and meta-analyses all back the thesis statement that corruption will stifle the growth and, at the same time, hamper the increase of human capabilities.<sup>47 48</sup>

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<sup>42</sup> I. Robeyns and M.F. Byskov, 'The Capability Approach', The Stanford Encyclopedia of Philosophy (Fall 2023) <https://plato.stanford.edu/archives/fall2023/entries/capability-approach/> accessed 26 August 2025.

<sup>43</sup> United Nations Development Programme (UNDP), Human Development Report 1990 (UNDP 1990).

<sup>44</sup> D. Seers, *The Meaning of Development* (Institute of Development Studies 1969).

<sup>45</sup> P. Mauro, 'Corruption and Growth' [1995] 110(3) *Quarterly Journal of Economics* 681.

<sup>46</sup> S. Rose-Ackerman and B.J. Palifka, *Corruption and Government: Causes, Consequences, and Reform* (Cambridge University Press 2016).

<sup>47</sup> J. Svensson, 'Eight Questions About Corruption' [2005] 19(3) *Journal of Economic Perspectives* 19.

<sup>48</sup> M. Ugur and N. Dasgupta, *Evidence on the Economic Growth Impacts of Corruption in Low-Income Countries and Beyond: A Systematic Review* (EPPI-Centre Social Science Research Unit, Institute of Education, University of London 2011).

## 2.2 Concept of Governance and Anti-Corruption

Good governance and the fight against corruption are inextricably linked. Effective governance, characterized by transparency, accountability, and the rule of law, is essential for preventing and mitigating corruption<sup>49</sup>. Conversely, pervasive corruption undermines the foundations of good governance and erodes public trust in government institutions.

### 2.2.1 Importance of Good Governance

Anazodo et al posit that good governance is a fundamental prerequisite for sustainable development and the well-being of societies<sup>50</sup>. It involves the effective and efficient management of a country's resources, the formulation and implementation of sound policies, and the establishment of responsive and accountable institutions.<sup>51</sup> The principles of good governance include:

**Transparency:** Ensuring that decision-making processes, policies, and the use of public resources are open and accessible to the public. **Accountability:** Holding government officials and institutions responsible for their actions and decisions, with mechanisms for redress and sanctions.

**Accountability:** Holding government officials and institutions responsible for their actions and decisions, with mechanisms for redress and sanctions.

**Rule of Law:** Ensuring that laws and regulations are fairly and consistently applied, without discrimination or political interference.

**Participation:** Enabling citizens to actively engage in the policy-making process and hold their government accountable.

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<sup>49</sup> Olanike Sharon, N., Oladele Joseph, K., David, I., & Idowu Kikelomo, E. (2016). Good Governance and Leadership: Pathway to Sustainable National Development in Nigeria. *Journal of Public Administration and Governance*, 6(1), 35.

<sup>50</sup> Anazodo, R., Igbokwe-Ibeto, C., & Nkah, B. (2015). Leadership, Corruption and Governance in Nigeria: Issues and Categorical Imperatives. *African Research Review*, 9(2), 41.

<sup>51</sup> Khan, M. (2012). Governance and growth: History, ideology and methods of proof. *Good Growth and Governance in Africa: Rethinking Development Strategies*, 51, 79.

**Equity and Inclusiveness:** Ensuring that all members of society, regardless of their socioeconomic status, have equal access to public services and opportunities.

When these principles of good governance are upheld, it creates an environment that is less conducive to corruption and fosters greater public trust in government institutions.

### **2.3 Corruption and its Impact on Governance**

Corruption, defined as the abuse of entrusted power for private gain,<sup>52</sup> can take many forms, including bribery, embezzlement, nepotism, and the misuse of public resources<sup>53</sup>. Corruption undermines good governance in several ways:

**Undermining the Rule of Law:** Corruption can lead to the selective application of laws and regulations, creating a culture of impunity and disregard for the rule of law.<sup>54</sup>

**Eroding Transparency and Accountability:** Corrupt practices often thrive in opaque decision-making processes, where there is a lack of transparency and accountability mechanisms.<sup>55</sup>

**Distorting Policymaking and Resource Allocation:** Corruption can skew the allocation of public resources away from the public interest and towards private or political interests.<sup>56</sup>

**Reducing Public Trust:** Widespread corruption erodes public confidence in government institutions and their ability to serve the common good.<sup>57</sup>

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<sup>52</sup> United Nations Development Programme (UNDP), *Governance for Sustainable Human Development: A UNDP Policy Document* (UNDP 1997) New York.

<sup>53</sup> Khan, M., Andreoni, A., & Roy, P. (2019). Anti-corruption in adverse contexts: Strategies for improving implementation. <https://ace.soas.ac.uk/publication/anti-corruption-in-adverse-contexts-strategies-for-improving-implementation/>

<sup>54</sup> Transparency International, *Corruption Perceptions Index: Methodology and Definitions* (Transparency International 2009) Berlin.

<sup>55</sup> Rose-Ackerman S, *Corruption and Government: Causes, Consequences, and Reform* (Cambridge University Press 1999) Cambridge.

<sup>56</sup> Kaufmann D, Kraay A and Mastruzzi M, *The Worldwide Governance Indicators: Methodology and Analytical Issues* (World Bank 2010) Washington, DC.

<sup>57</sup> Mauro P, 'Corruption and Growth' (1995) 110(3) *Quarterly Journal of Economics* 681–712.

**Hindering Economic Development:** Corruption can discourage foreign investment, stifle innovation, and divert resources away from critical public services and infrastructure.<sup>58</sup> The detrimental effects of corruption on governance and development are well-documented, underscoring the urgent need for effective anti-corruption strategies.<sup>59</sup>

## 2.4 Integrating Anti-Corruption Efforts into Governance Reforms

Addressing corruption requires a comprehensive and multifaceted approach that is integrated into broader governance reforms<sup>60</sup>. Some key elements of this approach include:

**Strengthening Institutional Capacity:** Investing in the capacity and independence of anti-corruption agencies, auditing bodies, and other oversight institutions to enhance their ability to investigate, prosecute, and prevent corruption.<sup>61</sup>

**Enhancing Transparency and Accountability:** Implementing policies and mechanisms that promote transparency in government operations, public procurement, and the management of public finances.

**Empowering Civil Society and Media:** Fostering an enabling environment for civil society organizations and independent media to monitor government activities, expose corruption, and hold leaders accountable.

**Improving Public Financial Management:** Implementing sound financial management practices, such as the adoption of internationally recognized accounting standards, the establishment of robust internal controls, and the use of e-procurement systems.

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<sup>58</sup> Ibid.

<sup>59</sup> World Bank, *Worldwide Governance Indicators: Control of Corruption – Nigeria* (World Bank 2019) Washington, DC.

<sup>60</sup> Albert, A. (2016). Combating corruption in Nigeria and the constitutional issues arising. *Journal of Financial Crime*, 23(4), 700-724.

<sup>61</sup> Johnston M, *Syndromes of Corruption: Wealth, Power, and Democracy* (Cambridge University Press 2005) Cambridge.

**Reforming the Judiciary:** Strengthening the independence, integrity, and capacity of the judicial system to ensure the effective enforcement of anti-corruption laws and the fair adjudication of corruption related cases.

**Enhancing Public Sector Integrity:** Developing and enforcing codes of conduct, asset declaration requirements, and merit-based recruitment and promotion systems for public officials.<sup>62</sup>

**Promoting Whistleblower Protection:** Establishing comprehensive whistleblower protection laws and mechanisms to encourage the reporting of corruption and safeguard those who come forward.<sup>63</sup>

**Fostering International Cooperation:** Engaging in regional and global anti-corruption initiatives, including the exchange of information, the repatriation of stolen assets, and the extradition of corrupt individuals.<sup>64</sup>

By integrating these anti-corruption measures into broader governance reforms, governments can create an environment that is less conducive to corruption and more supportive of sustainable development.<sup>65</sup>

## **2.5 Overview of Current Governance Structures and their Efficacy in Promoting Transparency and Combating Corruption**

In Nigeria, the governance landscape is characterized by a complex interplay of constitutional provisions, institutional frameworks, and regulatory mechanisms aimed at guiding public administration and ensuring accountability. The country operates a federal system with power distributed among the federal, state, and local governments, each with distinct roles and

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<sup>62</sup> Code of Conduct Bureau, *Annual Report on Asset Declaration Compliance* (Government of Nigeria 2019) Abuja.

<sup>63</sup> Federal Ministry of Justice, *Whistleblower Protection Bill* (Government of Nigeria 2017) Abuja.

<sup>64</sup> United Nations Office on Drugs and Crime (UNODC), *International Cooperation against Corruption: Nigeria Country Report* (UNODC 2019) Vienna.

<sup>65</sup> World Bank, *Worldwide Governance Indicators: Control of Corruption – Nigeria* (World Bank 2019) Washington, DC.

responsibilities delineated by the constitution<sup>66</sup>. At the federal level, Nigeria's governance is structured around key institutions such as the Presidency, the National Assembly (comprising the Senate and House of Representatives), and the Judiciary. These institutions form the backbone of the country's governance framework, overseeing policymaking, law enactment, and judicial review respectively. However, challenges such as bureaucratic inefficiencies, overlapping mandates, and insufficient coordination between these branches often hinder effective governance and transparency.<sup>67</sup> Transparency in Nigeria's governance is further influenced by regulatory bodies such as the Economic and Financial Crimes Commission (EFCC), Independent Corrupt Practices and Other Related Offences Commission (ICPC), and the Auditor-General's Office. These agencies are tasked with investigating and prosecuting corruption cases, ensuring compliance with financial regulations, and auditing government expenditures. Despite their mandates, their effectiveness can be hampered by political interference, resource constraints, and legal loopholes that undermine their operational autonomy and impact<sup>68</sup>. Moreover, the Nigerian government has adopted various anti-corruption strategies and initiatives over the years, including the implementation of procurement reforms, public sector audits, and the establishment of anti-corruption task forces. While these efforts represent steps towards combating corruption, their overall impact remains variable due to challenges such as inadequate funding, limited public awareness, and the persistence of systemic corruption networks.<sup>69</sup> In assessing the efficacy of Nigeria's current governance frameworks, it becomes evident that enhancing transparency and combating corruption requires comprehensive reforms. These reforms should prioritize strengthening institutional capacities, reinforcing legal frameworks, promoting civic

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<sup>66</sup> Gberevbie D, 'Democracy, Democratic Institutions and Good Governance in Nigeria' (2014) 30(1) *Eastern Africa Social Science Research Review* 133–152.

<sup>67</sup> Odo L, 'Democracy and Good Governance in Nigeria: Challenges and Prospects' (2015) 15(3) *Global Journal of Human Social Science: F Political Science- Double Blind Peer Review International Research Journal*.

<sup>68</sup> Igbokwe-Ibeto C and Joseph C, 'Anti-Corruption Crusade in Nigeria: More Words than Deeds' (2014) 1(2) *International Journal of Public Policy and Administration Research* 47–63.

<sup>69</sup> Ibid.

engagement, and leveraging technology to improve transparency in public service delivery and decision-making processes. By addressing these issues, Nigeria can foster a more accountable governance system that rebuilds public trust and advances sustainable development goals.

## **2.6 Key Obstacles and Deficiencies Hindering Effective Transparency and Anti-Corruption Efforts in Nigeria**

In Nigeria, several challenges and gaps impede the effectiveness of efforts to enhance transparency and combat corruption<sup>70</sup>. The following obstacles are identified to better understand the root causes and potential solutions:

**Weak Institutional Capacity:** Many governmental institutions lack sufficient resources, expertise, and independence to effectively enforce anti-corruption measures and ensure transparency. This results in limited oversight and accountability mechanisms, allowing corruption to persist unchecked.<sup>71</sup>

**Political Interference and Elite Capture:** Political interference often undermines the autonomy of anti-corruption agencies and regulatory bodies, influencing their investigations and enforcement actions. Additionally, elite capture of public resources and decision-making processes perpetuates corruption at higher levels of governance.

**Legal and Regulatory Frameworks:** Existing legal and regulatory frameworks may be inadequate or inconsistently applied, creating loopholes that enable corrupt practices. Strengthening these frameworks and ensuring their consistent enforcement is essential for enhancing transparency and accountability.<sup>72</sup>

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<sup>70</sup> Fatile J, 'Corruption and the Challenges of Good Governance in the Nigerian Public Sector' (2012) 1(3) *Africa's Public Service Delivery and Performance Review* 46.

<sup>71</sup> United Nations Development Programme (UNDP), *Anti-Corruption Capacity Assessment in Nigeria* (UNDP 2008) New York.

<sup>72</sup> Human Rights Watch, *Corruption on Trial? The Record of Nigeria's Economic and Financial Crimes Commission* (HRW 2011) New York.

**Lack of Public Awareness and Participation:** Limited public awareness of rights, responsibilities, and available channels for reporting corruption reduces citizen engagement in anti-corruption efforts. Increasing awareness through education and outreach programs can empower citizens to hold officials accountable.<sup>73</sup>

**Complexity and Inefficiency in Public Procurement:** Procurement processes often lack transparency, with opaque bidding processes and inadequate monitoring facilitating corrupt practices. Streamlining procurement procedures and enhancing transparency can mitigate these challenges.<sup>74</sup>

**Corruption in the Judiciary:** Corruption within the judiciary undermines the rule of law and diminishes trust in the legal system. Addressing judicial corruption through reforms, ethical standards, and accountability mechanisms is crucial for upholding justice and combating impunity.

**Cross-Border and International Dimensions:** Corruption networks often transcend national borders, necessitating international cooperation and anti-corruption measures. Strengthening international partnerships and frameworks can help address transnational corruption challenges effectively.

**Resource Constraints and Funding:** Insufficient funding for anti-corruption agencies and oversight bodies limits their operational capacity and ability to implement robust anti-corruption strategies.<sup>75</sup> Adequate resource allocation and financial management are essential for sustaining anti-corruption efforts.

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<sup>73</sup> Federal Republic of Nigeria, *Constitution of the Federal Republic of Nigeria* (1999, as amended)

<sup>74</sup> Transparency International, *Global Corruption Barometer: Africa – Citizens' Views and Experiences of Corruption* (Transparency International 2019) Berlin.

<sup>75</sup> World Bank, *Nigeria Public Procurement Reform: Strengthening Transparency and Accountability* (World Bank 2019) Washington, DC.

## **2.7 Effectiveness of Current Strategies in Reducing Corruption and Enhancing Accountability**

Corruption remains a significant challenge in Nigeria, impacting the country's economic development, public service delivery, and overall governance<sup>76</sup>. Over the years, various strategies and initiatives have been implemented to address corruption and improve accountability. The outcomes and effectiveness of some of the key anti-corruption efforts in Nigeria are elucidated below:

## **2.8 Anti-Corruption Agencies and Legislation**

Nigeria has established several specialized anti-corruption agencies, such as the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and Other Related Offences Commission (ICPC). These agencies have been tasked with investigating and prosecuting corruption cases. However, their effectiveness has been mixed. While they have secured some high-profile convictions,<sup>77</sup> they have also faced criticism for selective prosecution, lack of political will, and insufficient resources.<sup>78</sup> In addition, the country has enacted legislation such as the Corrupt Practices and Other Related Offences Act and the Money Laundering (Prohibition) Act to provide a legal framework for combating corruption.<sup>79</sup> These laws have helped to criminalize various corrupt practices and empower the anti-corruption agencies. However, the implementation and enforcement of these laws have been uneven, with concerns raised about the judicial system's ability to effectively prosecute corruption cases.<sup>80</sup>

### **2.8.1 Public Financial Management Reforms**

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<sup>76</sup> Felicia H A, 'Democracy, Good Governance and Development: Nigeria's Experience' (2013) 8(5) *IOSR Journal of Humanities and Social Science* 61–67.

<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

<sup>79</sup> Federal Republic of Nigeria, *Corrupt Practices and Other Related Offences Act* (Government Printer 2000) Abuja.

<sup>80</sup> Federal Republic of Nigeria, *Money Laundering (Prohibition) Act*.

Nigeria has undertaken various public financial management reforms to improve transparency and accountability in the use of public funds. These include the implementation of the Treasury Single Account (TSA) system, which consolidates government revenues into a single account,<sup>81</sup> and the adoption of the Integrated Payroll and Personnel Information System (IPPIS), which aims to eliminate ghost workers and payroll fraud. The outcomes of these reforms have been mixed. While the TSA has helped to reduce leakages and improve the government's ability to track its financial resources,<sup>82</sup> concerns remain about the transparency and oversight of public procurement processes. Similarly, the IPPIS has helped to address the issue of ghost workers, but challenges persist in ensuring accurate and comprehensive payroll data.

### **2.8.2 Whistle-blowing and Asset Recovery**

Nigeria has introduced a whistle-blowing policy to encourage citizens to report corruption and other financial crimes. The policy offers financial rewards and protection for whistle-blowers. However, the effectiveness of the policy has been limited, with concerns about the safety and security of whistle-blowers, as well as the lack of a robust system for processing and investigating the reports. Additionally, the government has made efforts to recover assets stolen through corrupt practices. The EFCC has seized and recovered significant amounts of funds and assets, which have been used to fund various development projects. However, the process of asset recovery has faced challenges, such as legal and jurisdictional hurdles, as well as the need for international cooperation.<sup>83</sup>

### **2.8.3 Citizen Engagement and Civil Society Participation**

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<sup>81</sup> Ibid.

<sup>82</sup> Ibid.

<sup>83</sup> Federal Ministry of Justice, *Whistleblower Protection Bill* (Government of Nigeria 2017) Abuja.

The Nigerian government has recognized the importance of citizen engagement and civil society participation in the fight against corruption. Initiatives such as the Open Government Partnership and the Extractive Industries Transparency Initiative have aimed to promote transparency and accountability in government operations and the extractive industries.<sup>84</sup> These efforts have had some positive outcomes, such as increased access to government information and improved disclosure of revenue from the extractive sector. However, the overall impact of these initiatives has been limited, with concerns about the lack of sustained political commitment and the need for more meaningful citizen engagement.

## **2.9 Governmental Institutions' Adherence to Anti-Corruption Policies and their Contributions to Fostering Accountability**

Combating corruption and enhancing accountability are critical priorities for the Nigerian government. Over the years, various governmental institutions have been tasked with developing and implementing anti-corruption policies and initiatives<sup>85</sup>. This evaluation examines the adherence of these institutions to their mandates and their contributions to fostering accountability in the country.

### **2.10 Anti-Corruption Agencies**

The Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and Other Related Offences Commission (ICPC) are the two primary anti-corruption agencies in Nigeria. These institutions have been granted significant powers and responsibilities to investigate, prosecute, and prevent corruption-related offenses.

- a) **Adherence to Anti-Corruption Policies:** The EFCC and ICPC have made efforts to adhere to their mandates and the relevant anti-corruption laws and policies. They have conducted high-profile investigations, secured convictions, and recovered stolen

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<sup>84</sup> Transparency International, *Global Corruption Barometer: Africa – Citizens' Views and Experiences of Corruption* (Transparency International 2019) Berlin.

<sup>85</sup> Gaventa J and McGee R, 'The Impact of Transparency and Accountability Initiatives' (2013) 31 *Development Policy Review* s3–s28 <https://doi.org/10.1111/dpr.12017> accessed 5 December 2025.

assets.<sup>86</sup> However, concerns have been raised about the selective nature of their prosecutions, with allegations of political interference and bias.

**b) Contributions to Accountability:** The anti-corruption agencies have played a role in enhancing accountability by exposing and sanctioning corrupt practices. Their investigations and prosecutions have brought some public officials and private sector actors to justice. However, the impact of their efforts has been limited by resource constraints, institutional weaknesses, and the challenges within the judicial system.<sup>87</sup>

## 2.11 Public Financial Management Institutions

Institutions responsible for public financial management, such as the Office of the Accountant-General of the Federation, the Office of the Auditor-General, and the Budget Office of the Federation, play a crucial role in ensuring transparency and accountability in the use of public resources.<sup>88</sup>

**c) Adherence to Anti-Corruption Policies:** These institutions have implemented various policies and reforms aimed at improving financial management, such as the Treasury Single Account (TSA), the Integrated Payroll and Personnel Information System (IPPIS), and the adoption of accrual-based International Public Sector Accounting Standards (IPSAS).<sup>89</sup> However, concerns remain about the effective implementation and oversight of these systems.

**d) Contributions to Accountability:** The public financial management institutions have contributed to accountability by enhancing transparency in government financial operations, reducing leakages, and improving the management of public funds.

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<sup>86</sup> Ibid.

<sup>87</sup> United Nations Office on Drugs and Crime (UNODC), *International Cooperation against Corruption: Nigeria Country Report* (UNODC 2019) Vienna.

<sup>88</sup> Office of the Auditor-General of the Federation, *Annual Audit Report on the Accounts of the Federation* (Government of Nigeria 2020) Abuja.

<sup>89</sup> International Federation of Accountants (IFAC). (2014). *International Public Sector Accounting Standards (IPSAS): Conceptual Framework*. New York: IFAC.

However, challenges persist in ensuring comprehensive reporting, effective auditing, and timely action on audit findings.

## **2.12 Public Procurement Institutions**

Institutions responsible for public procurement, such as the Bureau of Public Procurement and the National Council on Public Procurement, are critical in ensuring transparency and fairness in government contracts and acquisitions<sup>90</sup>.

- i. Adherence to Anti-Corruption Policies:** The public procurement institutions have developed policies and guidelines aimed at promoting competitive bidding, reducing conflicts of interest, and improving the oversight of contract awards. However, the implementation of these policies has been uneven, with persistent concerns about favoritism, bid-rigging, and lack of effective monitoring.<sup>91</sup>
- ii. Contributions to Accountability:** The public procurement institutions have made efforts to enhance accountability by increasing the disclosure of contract information, establishing complaint mechanisms, and promoting the use of e-procurement platforms. However, the impact of these efforts has been limited, and more work is needed to address the entrenched corruption in the public procurement system.

## **2.13 Public Service Commission and Code of Conduct Bureau**

The Public Service Commission and the Code of Conduct Bureau are responsible for upholding ethical standards and ensuring the integrity of the public service<sup>92</sup>.

- a) Adherence to Anti-Corruption Policies:** These institutions have developed codes of conduct, asset declaration requirements, and disciplinary mechanisms to promote integrity and accountability among public officials. However, the

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<sup>90</sup> Oke, L. 'Democracy and Governance in Nigeria's Fourth Republic,' *African Research Review* [2010] 4(3)

<sup>91</sup> Ibid.

<sup>92</sup> Bureau of Public Procurement (BPP), *Annual Report on Procurement Monitoring and Oversight* (BPP 2018) Abuja.

enforcement of these policies has been inconsistent, and allegations of political interference and lack of independence continue to undermine their effectiveness.

**b) Contributions to Accountability:** The Public Service Commission and Code of Conduct Bureau have contributed to accountability by investigating and sanctioning public officials for misconduct and ethical breaches. However, their impact has been limited, and more needs to be done to strengthen their capacity and independence.

## 2.2 Theoretical Framework

This study is theoretically underpinned on Principal-Agent Theory, institutional theory, political economy theory, compliance theory and social learning theory shall be the area of concentration in this research.

### Principal-Agent Theory

Principal-agent theory is highly relevant to the study of governance and anti-corruption measures in Nigeria. This theory examines the relationship between principals (e.g., citizens, voters)<sup>93</sup> and agents (e.g., government officials, politicians) where the latter are entrusted to act on behalf of the former. The core premise of Principal-Agent Theory is that agents may not always act in the best interests of principals due to information asymmetry, differing incentives, and moral hazards.<sup>94</sup>

### Institutional Theory

The Institutional Theory, developed by sociologists in the 1980s, suggests that organizations and individuals are influenced by the wider institutional environment in which they operate, including norms, values, and regulations.<sup>95</sup> In the context of anti-corruption laws in Nigeria,

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<sup>93</sup> Klitgaard, R. *Controlling Corruption*. Berkeley: University of California Press, 1988.

<sup>94</sup> North, D. C. *Institutions, Institutional Change and Economic Performance*. Cambridge: Cambridge University Press, 1990.

<sup>95</sup> Acemoglu, D. & Robinson, J. A. *Economic Origins of Dictatorship and Democracy*. Cambridge: Cambridge University Press, 2006.

this theory implies that the effectiveness of anti-corruption laws may depend on the broader institutional context, including the culture of corruption and the strength of the legal and regulatory system.<sup>96</sup> The Institutional Theory is important to this study as it suggests that the effectiveness of anti-corruption laws in Nigeria may depend on the broader institutional context in which they are implemented.<sup>97</sup>

### **Political Economy Theory**

The Political Economy Theory, developed by political scientists in the 1970s, suggests that political and economic factors are closely intertwined, and that corruption can arise from rent seeking behavior by powerful individuals or groups. In the context of anti-corruption laws in Nigeria, this theory implies that the effectiveness of anti-corruption laws may depend on the political economy context, including the distribution of power and wealth in society.<sup>98</sup> The Political economy theory is important to this study as it suggests that the effectiveness of anti-corruption laws in Nigeria may depend on addressing the underlying political and economic structures that give rise to corruption.

### **Compliance Theory**

The compliance theory, developed by legal scholars in the 1990s, suggests that compliance with laws and regulations can be improved by aligning incentives and promoting ethical behavior.<sup>99</sup> In the context of anti-corruption laws in Nigeria, this theory implies that the effectiveness of anti-corruption laws may depend on the design and implementation of compliance mechanisms, including whistleblower protections and anti-retaliation measures<sup>100</sup>.

The compliance theory is important to this study as it suggests that the effectiveness of anti-

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<sup>96</sup> DiMaggio PJ and Powell WW, 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields' in *The New Institutionalism in Organizational Analysis* (Chicago Press 1991) 41–62.

<sup>97</sup> Tyler, T. R. *Why People Obey the Law*. Princeton: Princeton University Press, 1990.

<sup>98</sup> Khan MH, 'A Typology of Corrupt Transactions in Developing Countries' (1996) 27(2) *IDS Bulletin* 12–21 <https://doi.org/10.1111/j.1759-5436.1996.mp27002002.x> accessed 5 December 2025.

<sup>99</sup> Jensen MC and Meckling WH, 'Theory of the Firm: Managerial Behavior, Agency Costs, and Ownership Structure' (1976) 3(4) *Journal of Financial Economics* 305–360.

<sup>100</sup> Parker C, 'The Compliance Trap: The Moral Message in Responsive Regulatory Enforcement' (2002) 40(3) *Law and Society Review* 591–622 <https://doi.org/10.2307/1512183> accessed 5 December 2025

corruption laws in Nigeria may depend on the extent to which they are accompanied by effective compliance mechanisms.

### **Social Learning Theory**

Social learning theory, developed by Bandura in the 1970s, suggests that individuals learn from observing and imitating others, as well as from direct experience and feedback.<sup>101</sup> In the context of anti-corruption laws in Nigeria, this theory suggests that the effectiveness of these laws may be influenced by the extent to which citizens and government officials are exposed to positive role models and experiences of ethical behaviour.<sup>102</sup> The theory is important for this study as it highlights the role of social norms and learning processes in shaping attitudes and behaviors related to corruption.

## **2.3 Literature Review**

Various scholars and organizations have provided different definitions of corruption. Nye views corruption as behaviours that contravene the formal duties of a public role by resulting in personal gains, such as pecuniary or status-gain, or violating the rules that forbid specific types of private-regarding behaviors.<sup>103</sup> According to the World Bank, corruption is the exploitation of public office for private gains, with the cost being estimated globally at about \$80 billion.<sup>104</sup> This includes public officials accepting, soliciting, or coercing bribes and individuals from the private sector offering bribes to undermine or bypass public policies for personal gain or competitive advantage.<sup>105</sup> The UNDP considers corruption as the misuse of public power, authority, or office for personal gain, including bribery, extortion, influence-peddling, nepotism, fraud, speed money, or embezzlement.<sup>106</sup> Transparency International

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<sup>101</sup> Bandura, A. *Social Learning Theory*. Englewood Cliffs, NJ: Prentice Hall (1977).

<sup>102</sup> Ibid.

<sup>103</sup> Nye J S, 'Corruption and Political Development: A Case-Benefit Analysis' (1967) 61 *American Political Science Review* 417–427.

<sup>104</sup> Pointblank Editorial, 'Corruption Index: Nigeria's Improvement Confirms Jonathan's Anti-Corruption Fight' (Friday, 5 December 2014) 10.

<sup>105</sup> World Bank, 2019

<sup>106</sup> United Nations Development Programme, 2019

defines corruption as inappropriate or illegal conduct by a public sector official, such as a politician or public officer, through the misuse of their delegated power for personal gain for themselves or people close to them.<sup>107</sup>

Corruption is a behavior, which deviates from the normal duties of a public role because of private relationship. This includes such behaviour as bribery (use of reward to pervert the judgment of a person in a position of trust); nepotism (bestowal of patronage by reason of inscriptive relationship rather than merit); and misappropriation (illegal appropriation of public resources for private-regarding uses.<sup>108</sup> A patter of corruption can be said to exist whenever a power-holder who is charged with doing certain things, i.e., who is a responsible functionary or officeholder is, by monetary or other rewards not legally provided for, induced to take actions which favour whoever provides the reward and thereby does damage to the public and its interests. Corrupt transactions usually include bribery;<sup>109</sup> fraud such as inflation of contract sums by public officials; unauthorized variation of contracts; payment for jobs not executed; payment of ghost workers; overpayment of salaries and allowances to staff; diversion of government revenue by public officials; deliberate irregularities in the management of accounting procedures.<sup>110</sup>

Ogunwale claims that Nigeria is recognized internationally as one of the countries with the worst case of corrupt practices. The pervasiveness of corruption in Nigeria is linked to cultural traditions and has become normalized in day-to-day interactions.<sup>111</sup> Dukku explains that deviant acts of corruption have been disguised and symbolized in language used in everyday communication, for example, words like *Alfarma* (gift or favor), *egunje*, *goro* or

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<sup>107</sup> Transparency International, n.d.

<sup>108</sup> Friedrich C J and Heidenheimer A J (eds), *Political Corruption: Readings in Comparative Analysis* (Atherton Press 1970).

<sup>109</sup> Heidenheimer A J, LeVine V T and Johnston M J (eds), *Political Corruption: A Handbook* (Transaction Publishers 1989).

<sup>110</sup> Ubeku A K, *Personnel Management in Nigeria* (Macmillan Nigeria, 1991) 41–43.

<sup>111</sup> Dukku O G and Okide U J, 'Linguistic Identity and Cultural Integration of Hausa Community in Idiaraba, Lagos State' (2012) 1(3) *Interdisciplinary Journal of African and Asian Studies*.

Igbuozu (Kola), badawaniabu (giving something), and yiwani abu (do something).<sup>112</sup> People in Nigeria have even manipulated the meaning of the English word "kola," which might refer to a tree that bears bitter fruits or bribe, due to the obsession for bribery<sup>113</sup>. Corruption is a major issue in all levels of government in Nigeria, including former governors, ministries, law enforcement agencies, paramilitaries, and the oil and gas sector.<sup>114</sup> According to Abdullahi, corruption occurs at all levels of government in Nigeria and is widespread.<sup>115</sup> Corruption in local government councils is seen as an organized crime perpetrated by neglected people in the local areas rather than corruption among political and bureaucratic elites.<sup>116</sup>

Corruption in Nigeria has grown notably since the tenures of Generals Ibrahim Babaginda and Sani Abacha. The nature of Nigerian corruption has transformed from prebendalism towards predation, where office holders and officials attempt to reward their supporters, family members, and ethnic group members with money, jobs, or contracts. Corruption has been identified as a cause of the failing of the first (1960-66) and second (1979-83) Nigerian republics. The country's dependence on crude oil is one of the reasons for the rise in corruption, which promotes rent seeking and fraud. The US Senate Kerry Report affirms the relationship between oil and corruption in Nigeria, exposing common tactics such as under or over-invoicing of imports and exports in the Nigerian National Petroleum Corporation (NNPC). Past and present leaders were linked to the plunder of about £212bn in oil revenue from the country's treasury, with the EFCC aiming to battle an estimated £12 billion yearly in misappropriated state funds.

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<sup>112</sup> Ibid.

<sup>113</sup> Ibid

<sup>114</sup> Mutum R and Mohammed D S, 'Nigeria: Inside EFCC's High-Profile Corruption Cases' (2015) *AllAfrica* <http://allafrica.com/stories/201509280559.html> accessed 7 December 2025.

<sup>115</sup> Abdullahi Z, *Corruption in Nigeria: Towards a New Paradigm for Effective Democratic Governance and Sustainable Development* (2011).

<sup>116</sup> Amuwo K, 'Corruption in Africa: The Nigerian Experience' in J C Ebegbulem (ed), *Corruption and Leadership Crisis in Africa: Nigeria in Focus* (2012) 3(11) *International Journal of Business and Social Science* 224–233.

It is a common occurrence for government contracts to be inflated in Nigeria due to corrupt practices such as kickbacks given to public officials before the completion of the contracts.<sup>117</sup> Corruption in the judiciary system hinders its effective functioning as there is a widespread belief that judges can be easily bribed or settled.<sup>118</sup> This has led to judicial officials requesting small bribes to expedite cases, and some even being charged for fraud and money laundering.<sup>119</sup> Legislators at both national and state levels have been accused of accepting bribes and favors from the executive branch to facilitate the passage of bills favorable to them.<sup>120</sup> The country has also experienced insider credit abuses that have caused bank failures, with powerful individuals reported to be responsible for N53 billion of the losses.<sup>121</sup> The misuse of authority by elected officials, public servants, and military officials has contributed to the plundering and squandering of about £220 billion or \$380 billion by public officials in Nigeria, according to the Economic and Financial Crimes Commission (EFCC).<sup>122</sup>

The amount of money lost to corruption in Nigeria is staggering, as it has been estimated that there was an off-budget diversion of \$12.2 billion during General Ibrahim Babaginda's tenure, and during General Sani Abacha's regime, between two and five billion dollars were allegedly embezzled.<sup>123</sup> This is more than six times the amount the United States provided for the reconstruction of post-World War II Europe through the Marshall Plan.<sup>124</sup> The corruption problem persisted even after these regimes, as during President Obasanjo's time in office, Nigeria was estimated to have lost between \$4 billion to \$8 billion annually due to corruption,

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<sup>117</sup> Akpan F and Isikhuemen E, 'Corruption in Nigeria: Causes, Consequences and the Way Forward' in National Bureau of Statistics and UNODC (eds), *Corruption in Nigeria: Patterns and Trends. Second Survey on Corruption as Experienced by the Population* (National Bureau of Statistics/UNODC 2019) Abuja.

<sup>118</sup> Transparency International, 2020

<sup>119</sup> Owolabi A, 'Corruption in the Judiciary: Implications for Effective Legal Administration in Nigeria' (2018) *Nigerian Journal of Law and Policy* 23–35.

<sup>120</sup> Akinwotu E, *Nigeria's Lawmakers Accused of Corruption and Bribery in Legislative Process* (The Guardian Nigeria 2018) Lagos.

<sup>121</sup> Tella S A, *Insider Credit Abuses and the Collapse of Nigerian Banks: Lessons for Financial Regulation* (Nigerian Institute of Bankers 2019) Lagos.

<sup>122</sup> Eghosa-Osagie U, *Corruption and Governance in Nigeria: EFCC's Perspective on Public Sector Accountability* (University of Benin Press 2020) Benin City.

<sup>123</sup> Transparency International, 2004

<sup>124</sup> Baten J, *A History of the Global Economy: From 1500 to the Present* (Cambridge University Press 2016).

equaling between 4.25 percent and 9.5 percent of its total GDP in 2006.<sup>125</sup> The high level of corruption in Nigeria was illustrated by a dispute between President Obasanjo and the Vice President in 2006, which was related to corruption.<sup>126</sup>

Transparency International consistently ranks Nigeria low, such as in 2006 and 2007 where Nigeria scored a CPI of 2.2, ranking 146th and 148th out of 163 countries respectively. According to TI, low CPI scores suggest that public institutions are greatly compromised. TI found that more than half of bribes were directly solicited, while 60% were offered to avoid issues with authorities, and over 40% were offered to obtain services one was entitled to. The IAP corruption index reported the Nigerian Police Force, Power Holding Company of Nigeria, Ministry of Education, and Customs and Excise Department as the most corrupt sectors in Nigeria. The severity of corruption is increasing and evolving, particularly among Nigerian states; the EFCC reported in September 2006 that some state governors were stealing state treasuries and using family members as fronts to establish their private businesses. For instance, the Orji Kalu, governor of Abia State, was accused of misappropriating N35 billion to establish a business empire under his wife, mother, daughter, and brothers' names. This article aimed to investigate EFCC's operations since its establishment within this framework.<sup>127</sup>

### CHAPTER THREE

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<sup>125</sup> Ebohon O J, 'Corruption and Economic Development in Nigeria: A Theoretical Exploration' (2012) 4(2) *Journal of Public Administration and Policy Research* 23–31.

<sup>126</sup> BBC, *Nigeria's President and Vice-President in Corruption Row* (British Broadcasting Corporation 2006) London <https://news.bbc.co.uk> accessed 6 December 2025.

<sup>127</sup> Daily Trust, *Nigeria: Inside EFCC's High-Profile Corruption Cases* (Daily Trust 2015) Abuja.

## LEGAL AND INSTITUTIONAL FRAMEWORK

Corruption in Nigeria is arguably the biggest and most pervasive challenge faced by the nation at the moment. Whichever sector you look at in Nigeria, whether it is the banking, agricultural, financial, political and even the religious sector you are bound to find a huge number of corrupt practices going on there. The study examines the corruption that continues to plague the Nigerian political space despite the legal and institutional frameworks that have been established overtime to combat corruption. An attempt would be made here to examine the various anti-corruption legal framework and the institutions or agencies put in place to combat corruption both at the domestic and international level.

### 3.1. United Nations Convention against Corruption.

The United Nation Convention Against Corruption adopted by the United Nations General Assembly on the 31st of October 2003 and entered into force on the 14th of December 2005.<sup>128</sup> It is the first multilateral treaty to deal with corruption on a global basis and is also the most comprehensive international legally binding anti-corruption instrument in terms of scope of activities covered. The convention contains five areas: preventive measures, criminalisation and law enforcement, international cooperation, asset recovery and technical assistance and information exchange.<sup>129</sup>

- a) **Preventive:** These include preventive policies such as the establishment of anti-corruption bodies, and enhanced transparency in the financing of election campaigns and political parties, states must make their public services subject to promotion of efficiency, transparency and recruitment based on merit. The employed public servants must be subject to codes of conduct requirements for financial and other

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<sup>128</sup> United Nations General Assembly Resolution 58/4, *United Nations Convention Against Corruption*, adopted 31 October 2003, entered into force 14 December 2005. New York: United Nations.

<sup>129</sup> Ibid.

disclosures and appropriate disciplinary measures.<sup>130</sup> Transparency and accountability in matters of public finance must also be promoted, and specific requirements are established for the prevention of corruption, more especially in the areas of the public sector such as the judiciary and public procurement. Preventing public corruption also requires an effort from all members of society at large. The convention calls on countries to promote actively the involvement of non- governmental and community-based organisations as well as to raise public awareness of corruption. The convention enjoins each state party to establish and promote effective practices aimed at the prevention of corruption.<sup>131</sup>

- b) **Criminalisation and Law Enforcement:** State Parties must criminalise bribery as well as embezzlement of public funds, other offences that state parties are required to criminalise include the obstruction of justice and the concealment, conversion or transfer of criminal proceeds. Sanctions extend to those who participate in or attempt to commit corruption offences.<sup>132</sup>
- c) **International Cooperation:** State parties are obliged to assist each other in cross-border criminal matters. This includes gathering and transferring evidence of corruption for use in court, to extradite offenders. States are also required to undertake measures which will support the tracing, freezing, seizure and confiscation of the proceeds of corruption.<sup>133</sup>
- d) **Asset Recovery** A fundamental principle of the convention is the right to recovery of stolen public assets. The UNCAC provisions lay a framework for states to adapt both their civil and criminal law in order to facilitate tracing, freezing, forfeiting and returning funds obtained through corrupt activities. Effective asset- recovery

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<sup>130</sup> <https://www.unodc.org/unodc/en/corruption/convention/highlights> . Accessed 28<sup>th</sup> October 2025

<sup>131</sup> Chapter II Articles 5-14 of the United Nation Convention Against Corruption.

<sup>132</sup> <https://www.cmi.no/publication/file/3769-uncac-in-a-nutchell>. Accessed 28<sup>th</sup> October 2025

<sup>133</sup> Chapter Iv Articles 43-49 of the United Nation Convention Against corruption.

provisions will support the efforts of states to redress the worst effects of corruption while sending at the same time, a message to corrupt officials that there will be no place to hide their illicit assets.<sup>134</sup>

- e) Technical Assistance and Information Exchange Technical assistance refers generally to support aimed at helping states comply with the UNCAC's provisions. It includes provisions on training material and human resources, research and information sharing. The convention encourages the provision of training on topics such as investigative methods, planning and developing strategic anti-corruption policies. preparing requests for mutual assistance, public financial management and methods used to protect victims and witness in criminal cases.

State parties should also consider helping each other conduct evaluations and studies on the forms causes and costs of corruption in specific contexts with a view to developing better policies for combatting the problem. The convention introduces a comprehensive set of standards, measures, are rules that all states can apply, in order to strengthen their legal and regulatory regimes to fight corruption. It calls for preventive measures and criminalisation of the most prevalent forms of corruption in both public and private sectors. And it makes member states to return assets obtained through corruption to the country from which they were stolen<sup>135</sup>

### **3.2 African Union Convention**

Corruption remains one of the most important obstacles to the improvement of the human condition in Africa, in recognition of corruption's role in poverty and under development in Africa, the African Union Convention on Preventing and Combating Corruption was adopted by the Heads of state at the African Union summit held in Maputo on the 11th of July

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<sup>134</sup> Chapter v Articles 51-59 United Nation Convention Against Corruption.

<sup>135</sup> Kofi Annan; United Nation Secretary General.

2003.<sup>136</sup> The African Union Convention is a major step in addressing the issue of corruption in Africa in order to bring more economic development to the continent. The convention criminalises corruption both in the private and public sector. Making it mandatory for state parties to adopt legislative, administrative and other measures to tackle corruption.<sup>137</sup> The convention covers different types of offences including bribery, diversion of property by public officials, illicit enrichment, money laundering and concealment of property. The state parties agreed to implement the provisions of the convention in their national law and practice. This convention aims to achieve the following objectives: to

- (1) promote and strengthen the development in Africa by each state party of mechanisms required to prevent, detect, punish, and eradicate corruption and related offences in the public and private sectors.<sup>138</sup>
- (2) Promote, facilitate, and regulate cooperation among the state parties to ensure the effectiveness of measures and actions to prevent, detect, punish, and eradicate corruption and related offences in Africa.
- (3) coordinate and harmonise the policies and legislation between state parties for the purposes of prevention, detection, punishment and eradication of corruption on the continent.<sup>139</sup>
- (4) promote socio-economic development by removing obstacles to the enjoyment of economic, social and cultural rights as well as civil and political rights.<sup>140</sup>
- (5) establish the necessary conditions to foster transparency and accountability in the management of public affairs.<sup>141</sup> The preamble states that corruption undermines

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<sup>136</sup> African Union. *African Union Convention on Preventing and Combating Corruption*, adopted by the Assembly of the African Union, Maputo, Mozambique, 11 July 2003, entered into force 5 August 2006. Addis Ababa: African Union Commission.

<sup>137</sup> Kolawale Olaniyan: *The African Union Convention on Preventing and Combating Corruption: A critical appraisal* <https://ptds.semanticscholar.org> accessed 28<sup>th</sup> October, 2025.

<sup>138</sup> *Ibid.*, Article 2(2).

<sup>139</sup> *Ibid.*, Article 2(3).

<sup>140</sup> *Ibid.*, Article 2(4).

<sup>141</sup> *Ibid.*, Article 2(5).

accountability and transparency in the management of public affairs and requires state parties to build partnerships between government and civil society organisations.<sup>142</sup>

(6) The Nobel peace prize laureate Wangari Maathai said let corrupt persons return what they have corruptly obtained and let it go back to the real owners.<sup>143</sup> That would make corruption a risky business. criminalise corruption so that wherever they go, the corrupt can always be apprehended, tried and handed to justice. Provide no place to hide. Let the banks and governments which keep and protect stolen wealth open their vaults. This is blood money. it leaves the children dying in hospitals which have no medicines, infrastructure which have collapsed, and water unfit for human beings to drink.<sup>144</sup>

### **3.3 Constitution of the Federal Republic of Nigeria 1999**

The Constitution put in place a solid and firm foundation for the fight against corruption in Nigeria. For example, the provision of separation of powers provided by the Constitution through the establishment of three arms of government i.e. executive, legislature and judiciary, for the purpose inter-alia, of checkmating the excesses of one arm of government by another, corruption is inclusive.<sup>145</sup> The Constitution mandates the government to abolish all corrupt practices and abuse of power in Nigeria,<sup>146</sup> empowers the National Assembly to engage into oversight function and enact laws to abolish all corrupt practices and abuse of power.<sup>147</sup> It is worthy of note that, pursuant to such power conferred on the National Assembly, it has enacted laws for abolishing corrupt practices in Nigeria, which would be discussed hereunder.<sup>148</sup>

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<sup>142</sup> Ibid., Preamble.

<sup>143</sup> Maathai, W. *The Challenge for Africa* (Pantheon Books, 2009) 216.

<sup>144</sup> Wangari Maathai, 9th International Anti-Corruption Conference, Durban, South Africa 1999.

<sup>145</sup> CFRN, ss. 4, 5 and 6.

<sup>146</sup> Ibid, s. 15 (5).

<sup>147</sup> Ibid, Item 60 (a) of the Exclusive Legislative List Part One of the 2nd Schedule.

<sup>148</sup> The major laws enacted by National Assembly to fight corrupt practices include: Economic and Financial Crimes Commission (Establishment) Act, Corrupt Practices and Other Related Offences Commission Act, Code of Conduct Bureau and Tribunal Act, 2004, Recovery of Public Property (Special Provisions) Act, 2004, etc.

Finally, apart from creating the offices of Auditor General of the Federation and Auditor General for each state of the federation meant to fight corruption in the country,<sup>149</sup> the Constitution also, prohibits persons convicted for dishonesty, bribery and corrupt practices from occupying public offices, such as office of a Senator, member House of Representative, member State House of Assembly, President, Governor etc.<sup>150</sup> provides the Code of Conducts for public officers,<sup>151</sup> which inter-alia mandated public officers whether elected or appointed or those in civil service to declare their assets and liabilities by completing and filing their respective Declaration of Assets Forms at the time of assuming and exiting an office or after every four years while in service.<sup>152</sup> However, some of the provisions in the Constitution particularly those related to immunity have been contributing to flourishing corruption in public sector.<sup>153</sup>

### **3.4 Corrupt Practices and other Related Offences Act, 2000.**

The Independent Corrupt Practices and other related offences commission was inaugurated on the 29th of September 2000 by President Olusegun Obasanjo. The ICPC has three main statutory mandates, prevention, enforcement and education. The Act brings under its scope all Nigerians, in the private and public sectors and even those public officers with constitutional immunity. Like the EFCC (Economic and financial crimes commission) the ICPC is also not independent, the ICPC 2000 Act provides that every prosecution for offences under the Act shall be done with the consent of the Attorney General of the Federation. The Act guarantees the security of tenure for the chairman of the commission.

This Act in Section 6 (a-f) provides for the duties of the commission:

- a) To receive and investigate complaints from members of the public on allegations of corrupt practices and in appropriate cases, prosecute the offenders.

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<sup>149</sup> Public Officers for the purpose of the Code of Conduct see Part II of the Fifth Schedule of the Constitution.

<sup>150</sup> CFRN, ss. 66 (1)(d), 107 (1)(b), 137 (1)(d) and 182 (1)(d).

<sup>151</sup> CFRN, s. 11 of Part I of the Fifth Schedule of the Constitution; CFRN, ss. 140 (1), 149 185 (1) and 194.

<sup>152</sup> Public Officers for the purpose of the Code of Conduct see Part II of the Fifth Schedule of the Constitution.

<sup>153</sup> Ibid, s. 308.

- b) To examine the practices, systems and procedures of public bodies and where such systems aid corruption, to direct and supervise their review.
- c) To instruct, advise and assist any officer, agency, or parastatal on ways by which fraud or corruption may be eliminated or minimized by them.
- d) To advise heads of public bodies of any changes in practice, systems or procedures compatible with the effective discharge of the duties of public bodies to reduce the likelihood or incidence of bribery, corruption and related offences.
- e) To educate the public on and against bribery, corruption and related offences.
- f) To enlist and foster public support in combating corruption.

The Corrupt Practices and Other Related Offences Act 2000 (Act 2000) brought a fresh and decisive perspective to the fight against corruption in the form of a holistic approach encompassing enforcement, prevention and educational measures.<sup>154</sup> It captures in a single document, a host of corrupt offences in their old and sophisticated guises. It sets up the Independent Corrupt Practices and Other Related Offences Commission with wide-ranging powers. The Act brings under its purview all Nigerians, in the private and public sectors and even those public officers with constitutional immunity.

Despite the activities of the anti-corruption body (the ICPC), corruption within the polity continues to play the key role of causing a steady decline in the quality of governance and in the commitment to accountability thereby leading to increasing poverty and inefficiency of all public utilities.<sup>155</sup> The educational sector administratively has been so affected by corrupt practices that the ICPC is now introduced in the secondary schools, higher institutions and universities in Nigeria in order to check their corrupt practices.<sup>156</sup> ICPC now watches and

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<sup>154</sup> Federal Republic of Nigeria. *Corrupt Practices and Other Related Offences Act 2000*. Abuja: Government Printer, 2000.

<sup>155</sup> Human Rights Watch. *Corruption on Trial? The Record of Nigeria's Economic and Financial Crimes Commission and the ICPC*. New York: HRW, 2011.

<sup>156</sup> Independent Corrupt Practices and Other Related Offences Commission (ICPC). *Annual Report on Anti-Corruption Activities in Nigeria's Educational Institutions*. Abuja: ICPC, 2018.

prevents corrupt practices in our educational system - teachers, lecturers and the administrative cadre are now scared effacing prosecution by students through the assistance of ICPC. Its performance has not been too impressive because of statutory limitations regarding enforcement and the obvious non-co-operative stance adopted by public servants.<sup>157</sup> It would also appear that this body is largely under-funded and, therefore, lacks operational capacities. Its powers are diverse and are mostly aimed at reducing the incidence of corrupt practices.

### **3.5 Economic Finance Crimes Commission (Establishment etc.) Act 2004**

The Economic and Financial Crimes Commission (Establishment) Act<sup>158</sup> (the “EFCC Act”) aims to create a framework for the investigation and prevention of various forms of economic and financial crimes, including money laundering, fraud, corruption, advance fee fraud, counterfeiting, tax evasion, and other fraudulent activities. The primary objective is to ensure the integrity of Nigeria's financial system and protect it from illicit activities.

The EFCC is charged with the responsibility of enforcing the provisions of several laws that deal with corruption and financial crimes.<sup>159</sup> Apart from the enforcement of relevant laws, the EFCC enforces Regulations made pursuant to those laws. For instance, the EFCC enforces the EFCC (Anti-Money Laundering, Combating the Financing of Terrorism and Countering Proliferation Financing of Weapons of Mass Destruction for Designated Non- Financial Businesses and Professions, and other Related Matters) Regulations, 2022. (the “Anti-Money Laundering Regulations 2022”).<sup>160</sup>

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<sup>157</sup> Ibid.

<sup>158</sup> *ibid*

<sup>159</sup> Section 7(2) of the EFCC Act.

<sup>160</sup> Primarily applicable to financial institutions and designated non-financial institutions (also called designated non-financial business and profession) which include— (a) automotive dealers, (b) businesses involved in the hospitality industry, (c) casinos, (d) clearing and settlement companies, (e) consultants and consulting companies, (f ) dealers in jewellerys, (g) dealers in mechanised farming equipment, farming equipment and machineries, (h) dealers in precious metals and precious stones, (i) dealers in real estate, estate developers, estate agents and brokers (j) high value dealers, (k) hotels, (l) legal practitioners and notaries, (m) licensed professional accountants, (n) mortgage brokers, (o) practitioners of mechanised farming, (p) supermarkets, (q)

Some of the compliance obligations arising from the EFCC Act and the Anti-Money Laundering Regulations 2022<sup>161</sup> include the following:

- I. **Suspicious Transactions Reporting Obligations:** Financial institutions are required to report any suspicious transactions to the EFCC. These transactions include those that are inconsistent with a customer's known legitimate business, lack an apparent economic or lawful purpose, or involve the proceeds of a crime. The reporting obligation should be exercised promptly and in accordance with the guidelines issued by the Central Bank of Nigeria (“CBN”) and the Nigerian Financial Intelligence Unit (“NFIU”).<sup>161</sup>
- II. **Record Keeping:** Financial institutions and designated non-financial institutions must maintain records of transactions, accounts, and customer identification data for at least five years from the date of the transaction. These records should be easily accessible and made available to the EFCC, NFIU, or other relevant authorities upon request<sup>162</sup>.
- III. **Training and Awareness:** Financial institutions and designated non-financial institutions are expected to provide regular training to their employees on the prevention of money laundering and terrorist financing. The training should cover the relevant provisions of the EFCC Act, applicable regulations, and internal policies and procedures. This aims to enhance the employees' understanding of money laundering risks, suspicious transaction indicators, and the reporting process<sup>163</sup>.
- IV. **Internal Controls and Policies:** Financial institutions and designated non-financial institutions are required to establish and implement internal controls and policies to prevent money laundering and terrorist financing. These controls should include

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tax consultants, (r) trust and company service providers, (s) pools betting, or (t) such other businesses and professions as may be designated by the Minister for Trade and Investment.

<sup>161</sup> Paragraph 35 (1) & (4) of the Anti-Money Laundering Regulations 2022.

<sup>162</sup> Paragraph 18 of the Anti-Money Laundering Regulations 2022.

<sup>163</sup> Paragraph 9 of the Anti-Money Laundering Regulations 2022.

measures to identify, assess, and mitigate the risks associated with money laundering and terrorist financing activities. The policies should be reviewed regularly and updated to reflect changes in the regulatory environment<sup>164</sup>.

V. **Establishment of risk identification and management policies:** Financial institutions and designated non-financial institutions are required to take appropriate steps to identify money laundering and allied risks in the operation of its business, establish policies to mitigate these identified risks, as well as monitor the implementation of the policies<sup>165</sup>.

VI. **Customer Due Diligence (CDD):** there is also the obligation on companies to put in place customer due diligence measures to establish the identity of their customers, understand the nature of their business relationships, and assess the risk of money laundering or terrorist financing. This includes verifying the identity of customers, obtaining information about the purpose and intended nature of the business relationship, and conducting ongoing monitoring of customer transactions<sup>166</sup>.

### 3.7 **Judiciary: How the Judiciary has fared in Combating Corruption in Nigeria**

This role is limited to that of a referee adjudicating over the charge brought before it by the prosecutor and ensuring that the accused person's right to a fair trial is protected. The role ends with that of sentencing where a guilty verdict is made. All these are dictated by law which the court is bound to apply, after all, it is the court that must give vent to the ideals of the rule of law. The effect of the foregoing is that the judge is only confined to adjudicating over corruption charges brought before it by the anti-corruption agencies. We shall, however, show here what the court can do, and has in fact done, more in this fight than just

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<sup>164</sup> Ibid

<sup>165</sup> Paragraph 11 of the Anti-Money Laundering Regulations 2022.

<sup>166</sup> Paragraph 28 of the Anti-Money Laundering Regulations 2022

adjudication. We shall also identify some factors militating against effective performance of the judiciary's role in the combat against corruption in Nigeria.

Although their role in the anti-corruption fight seems easy to comprehend, the judiciary, nay the courts, has been the weeping child for the perceived failure of the government to curb corruption. Odinkalu's tongue lash of the judiciary in this regard is expressed as follows:

the few cases that manage eventually to get to the court are frustrated by a combination of legal and procedural technicalities, delay, the peculiarities of an antiquated court system and what appears to be an unusual coincidence of kindred feeling among the Nigerian judiciary for suspects in white collar crime. This is the only way to describe the fact that most suspects in cases of the most egregious corruption in Nigeria invariably make bail and soon thereafter receive judicial blessings to travel for overseas medical attention for unclear ailments, often to the countries where they are alleged to have stashed away their loot. In most cases, these are also serving or recent public officers who proved unwilling to provide to the public or invest in social services, including hospitals, while they had the opportunity to do so. Most Nigerians will describe much of the jurisprudence – with the occasional exceptions – as indifferent; often reading complicit; sometimes with more than a whiff of a suggestion that it has been preceded by some form of a quid pro quo. ... . the capacity of the judiciary to offer any meaningful dispute resolution or remedies in the midst of such habitual corruption has become compromised and our jurisprudence has, to put it most charitably, become quite tolerant of or complicit in corruption.<sup>167</sup>

When the ICPC Act was first enacted in 2000, the Ondo state government through its AG approached the Supreme Court to nullify the Act on the grounds, inter alia, that the National Assembly exceeded its law-making powers as provided under the 1999 Constitution.<sup>168</sup> The state further contended that corruption is a residual matter upon which only state governments can legislate.<sup>169</sup> The case was a direct onslaught on the anti-corruption combat initiated in the wake of this democratic era and the destiny of the fight depended on the outcome of the case. It is on record, as the case shows that it was the judiciary, through the

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<sup>167</sup> C Achebe, *There was a Country: A Personal History of Biafra* (New York: Penguin Press, 2012) 249

<sup>168</sup> (2002) 9 NWLR (Pt. 772) 222; (2002) 6 S.C (Pt. I) 1; (2002) LPELR-623 (SC).

<sup>169</sup> AG, Ondo vs. AG, Federation and 35 others, note 37.

Apex Court saved the day thereby giving impetus to and laying concrete foundation for the anti-corruption war. Declaring the Act valid after nullifying the parts found inconsistent with the constitution, the court, per Uwais CJN, as he then was, stated as follows:

Corruption is not a disease which afflicts public officers alone but society as a whole. If it is to be eradicated effectively, the solution to it must be pervasive to cover every segment of the society. It is submitted that “corruption” is not a subject under either the Exclusive or the Concurrent Legislative List and therefore being a residual matter, the National Assembly has no power to legislate upon it. This submission overlooks the provisions of section 4 (4) (b) of the Constitution which provide that the National Assembly has the power to legislate on any matter with respect to which it is empowered to make law in accordance with the provisions of the Constitution. Section 15 (5) directs the National Assembly to abolish all corrupt practices and abuse of power. The question is how can the National Assembly exercise such powers? It can only do so effectively through legislation. Item 67 under the Exclusive Legislative List read together with the provisions of section 4 (2) provide that the National Assembly is empowered to make law for the peace, order and good government of the Federation and any part thereof. It follows, therefore, that the National Assembly has the power to legislate against corruption and abuse of office even as it applies to persons not in authority under public or government office. For the aim of making law is to achieve the common good. The power of the National Assembly is not therefore residual under the Constitution but might be concurrent with powers of the State House of Assembly and Local Government Council, depend.... Although the power to legislate on the subject is given to the National Assembly and State House of Assembly, when both exercise the power, the legislation by the National Assembly will prevail by virtue of section 4 (5) of the Constitution.....<sup>170</sup>

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<sup>170</sup> ibid 306-307

## CHAPTER FOUR

### STRENGTHENING INSTITUTION TO COMBAT CORRUPTION

#### 4.1 Introduction

Corruption in all ramifications has continued to jeopardize the efforts of governments in forging national unity, infrastructural development and in most cases, leaving the majority of a nation's citizens to live in absolute poverty. The phenomenon has persisted in many countries mostly due to weak political will or the lack of it necessary to curb the menace. In its simplest form corruption reflects the use of public office for private gain. As a remedy to this there should be a demonstration of credible intent by political leaders, stakeholders' group to attack perceived causes or effects of corruption at a systemic level. This demonstration of credible capacity reflects political will. The political will to curb corruption is also the political will to pursue other goals like good governance and national unity. Political will is not equivalent to political manifesto rhetoric or pressure group statements. Rather, it is the manifestation of a robust system of checks and balances and strong political institutions for combating corruption and promoting good governance as well as restoring trust and confidence in democratic politics. Gowon's proposal reflects strong political will for good governance, because, if political will is to be more than just a slogan, it must be understood in a broad context.<sup>171</sup> This reinforces the believe that if there is an absence of political will at the top, there will be a general lack of commitment to combat corruption, and pursue other important national goals as political development and poverty reduction.<sup>172</sup>

Corruption is a deep-rooted challenge that undermines the socio-economic and political development of nations. In Nigeria, it has eroded public trust, distorted governance, and

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<sup>171</sup> Brinkerhoff, D. W. & Goldsmith, A. A. *Institutional Sustainability and Political Will: The Role of Political Leadership in Building Governance*. Public Administration and Development, 22(1), 5–19 (2002).

<sup>172</sup> Johnston, M. *Syndromes of Corruption: Wealth, Power, and Democracy*. Cambridge: Cambridge University Press, 2005.

hindered sustainable progress.<sup>173</sup> While numerous anti-corruption laws and agencies exist, their effectiveness depends on the strength of the institutions enforcing them. Institutional strengthening involves establishing credible, transparent, and accountable systems that are resistant to manipulation and capable of enforcing integrity within governance structures.

To build such institutions, several key elements must be prioritized. Four critical pillars form the foundation for institutional resilience against corruption: political will, a robust judiciary, independent anti-corruption agencies, and the reform of immunity provisions that often shield corrupt officials from accountability. These are carefully discussed as follows:

## **4.2 Political will**

The lack of political will is often invoked as a reason for failure of anti-corruption reforms and a major obstacle to economic performances and the achievement of development goals.<sup>174</sup> Political leadership and a commitment to fight corruption at the highest levels is a pre-requisite for initiating and sustaining reforms over time, until results are achieved.<sup>175</sup> Power holders are supposed to act for the common good and against their self-interest. As they make the laws and allocate the powers, manpower and funds that enable them to be effectively enforced, they are the principal actors who can change a country's culture of corruption. In fact, some authors go as far as saying that political will has been the most important factor for ensuring the effective implementation of a comprehensive anti-corruption strategy in countries such as Singapore<sup>176</sup>. On the other hand, power holders are also potentially the greatest beneficiaries of corruption, with the powers and incentives to use and maintain the corrupt nature of government for their own benefit.<sup>177</sup> Thus, the critical

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<sup>173</sup> Transparency International. *Corruption Perceptions Index: Nigeria Country Data*. Berlin: Transparency International, 2020.

<sup>174</sup> Brinkerhoff, D. W. *Political Will and Development Policy*. International Journal of Policy Studies, 2(3), 2005.

<sup>175</sup> Ibid.

<sup>176</sup> Quah, Jon S.T. 2013. *Curbing corruption in Singapore: the importance of political will, expertise, enforcement, and context*. <https://www.researchgate.net/p...> accessed 5th November, 2025.

<sup>177</sup> Ibid.

importance of the existence or lack of political will in the success or failure of governance and anti-corruption reforms has been largely recognised in recent years.

Yet, the concept itself has received relatively little study and remains poorly defined and understood, referred to by some authors as “the slipperiest concept in the policy lexicon”<sup>178</sup>. Political will is commonly defined as the “demonstrated credible intent of political actors”<sup>179</sup>. A more detailed and operationally-oriented definition of this concept is “the commitment of political leaders and bureaucrats to undertake actions to achieve a set of objectives and to sustain the costs of those actions over time.”<sup>180</sup> While this may seem straightforward, many authors stress the complexity of the concept of political will, which entails many dimensions and reflects a large and multifaceted set of underlying factors.<sup>181</sup> They conclude that thinking about political will as a single, simple factor underestimates the sheer complexity of what is involved.<sup>182</sup>

### **4.3 Robust Judiciary**

A robust judiciary is not merely one that exists in structure or law it is one that is active, dynamic, and resilient in upholding justice. A robust judiciary is therefore both an institutional and moral force it combines structural strength with ethical fortitude to uphold justice and safeguard democracy.

#### **4.3.1 Judicial independence**

The United Nations’ Declarations on the Basic Principles on the Independence of the Judiciary 1985 stipulates that:

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<sup>178</sup> Hammergren, L. 1998. *Political will, constituency, building and public support in rule of law programmes*. <http://issat.dcaf.ch/content/download/2200/19056/file/Hammergren%20Political%20Will.pdf> accessed 5th November, 2025.

<sup>179</sup> Malena, C. 2009. *From political wont to political will: building support for participatory governance*. [https://styluspub.presswarehouse.com/resrcs/chapters/1565493117\\_excerpt.pdf](https://styluspub.presswarehouse.com/resrcs/chapters/1565493117_excerpt.pdf). accessed 5th November, 2025.

<sup>180</sup> Brinkerhoff, D.W. 2000. *Assessing political will for anti-corruption efforts: an analytic framework*. Public Administration and Development, Vol. 20, No. 3. <http://onlinelibrary.wiley.com...> accessed 3<sup>rd</sup> November, 2025.

<sup>181</sup> Ibid.

<sup>182</sup> Brinkerhoff DW, ‘Political Will and Development Policy’ (2005) 2(3) *International Journal of Policy Studies*.

The Judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law without any restrictions, improper influences, inducements, and interferences, direct or indirect from any quarter for any reason.<sup>183</sup>

Confirming this position, the Nigerian Court of Appeal in *Denton-West v Muoma*<sup>184</sup> held that, ‘... the importance of a competent, independent and impartial judiciary in preserving and upholding the rule of law cannot be over emphasized. There is no doubt that public confidence in the independence of the court, in the integrity of judges that man such courts, and in the impartiality and efficiency of the administration of justice as a whole, play a great role in sustaining the judicial system of nation.’<sup>185</sup>

In order to sustain public confidence in the courts, independence of the judiciary is often measured or described in relation to the amount of control (undue, inappropriate or illegal), internal or external,<sup>186</sup> exerted over the judges. Internal independence refers to the ability of judges to determine cases without undue regard to administrative hierarchies within the court, particularly without interference from senior members of the bench. External independence refers to the ability of the judges to judge cases without interference from the elected members of government, administrative agencies or even society.

#### **4.3.2 Judicial Independence and Judicial Impartiality**

There is no doubt that an institutionalised and independent judiciary is a necessary condition for democratic legitimacy.<sup>187</sup> As rightly suggested, even in a political regime that has a self-restraining executive and military, an active civil society with vigorous non-governmental organizations and media, a functioning economy, and a culture that values the rule of law and

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<sup>183</sup> See Declaration A/RES/40/32 of November 1985.

<sup>184</sup> *Denton-West v Muoma* (2008) 6 NWLR (Part 1083), 418, 451–52.

<sup>185</sup> Per Saulman JCA.

<sup>186</sup> 2Randall Peerenboom, ‘Judicial Independence in China: Common Myths and Unfounded Assumptions’ (LaTrobe Law School Legal Studies Research Paper No 2008/11) 3.

<sup>187</sup> See Peter H Russell and David M O’Brien (eds), *Judicial Independence in the Age of Democracy: Critical Perspectives from Around the World* (Charlottesville, VA, Univ. of Virginia Press 2001).

freedom itself, an independent judiciary is still much needed to assure minorities, majorities, individuals, and even criminal defendants that rulers will not oppress them.<sup>188</sup>

Judicial independence has no single all-encompassing definition.<sup>189</sup> However, the common denominators in any given definition generally features separation of the judiciary from the other two arms of government and factors that could enhance impartial judgement. Independence of the judiciary therefore is defined as the extent to which a court may adjudicate free from institutional controls, incentives and impediments imposed or intimidated by force, money, or other extra-legal corrupt methods from individuals or institutions outside the judiciary, whether within or outside of government.<sup>190</sup> The normative fundamental principle of judicial independence is that the judiciary must be independent from both the executive and legislative arms of government. Thus, the judiciary must be seen as a constitutional priesthood loyal to the sovereign will– the Constitution– at all times even in the face of majoritarian excesses, executive encroachment, and legislative self-aggrandizement.<sup>191</sup> Thus, judges must be completely neutral in order to be able to discharge their assigned constitutional duties. In the words of United States Supreme Court Justice Anthony M Kennedy: ‘The law makes a promise of neutrality. If the promise gets broken, the

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<sup>188</sup> Ibid.

<sup>189</sup> It has been defined as the ability of courts and judges to perform their duties free of influence or control by other actors. See David S Law, ‘Judicial Independence’ in Bertrand Badie, Dirk Berg-Schlosser and Leonardo Morlino (eds), *The International Encyclopedia of Political Science*. (Sage Publications 2011). An independent judiciary is also defined as one in which judges enjoy tenure during good behaviour, a salary sufficient to shield them from pressure from either government or private parties, sufficient prestige that the hope of promotion to a more prominent post is not a large motivator, a system of perquisites that is hard for the government to manipulate, and rules regarding jurisdiction over cases that are resistant to executive and legislative meddling, among others. See Daniel M Klerman and Paul G Mahoney, ‘The Value of Judicial Independence: Evidence from Eighteenth Century England’ (2005) 7 *AmLEeconRev* 1, 2–3.

<sup>190</sup> Theodore L Becker, *Comparative Judicial Politics: The Political Functioning of Courts* (New York, Rand McNally 1970).

<sup>191</sup> As Montesquieu rightly noted, the separation of powers between the judicial and executive branches is far more important than any separation between the legislative and executive branches– the only check on the executive branch is a resolute judiciary through which any ordinary citizen can protect his or her civil rights. See Charles de Secondat, Baron de Montesquieu, *The Spirit of Laws*, *Great Books in Philosophy* (Amherst, NY, Prometheus Books 2002).

law as we know it ceases to exist. All that's left is the dictate of a tyrant, or perhaps a mob'.<sup>192</sup>

As indicated earlier, a normative feature of judicial independence is impartiality. As a result, both judicial independence and impartiality are co-existing dependent concepts. In rendering impartial decisions, judges are required 'to rely upon their knowledge of law, experience and sense of justice in dealing with any matter before them'.<sup>193</sup>

### **4.3.3 Appointment and Promotion of Judges**

To this end, the appointment, promotion, transfer, emoluments of judges and assignment of cases should be done in a depoliticised manner.<sup>194</sup> It is indubitable that the process of appointment and promotion of judicial officers may aid or hinder their independence. It is pertinent to note that in many countries, the appointment, promotion and emoluments of judges are dictated by the executive and legislature. An example is the case of Nigeria, where the appointment of the Chief Justice, the justices of the Supreme Court and the heads of the courts of record is done by the President (or Governor of a state) on the recommendation of the Judicial Council and subject to the confirmation of the Senate or States' Houses of Assemblies in the case of federal and state courts respectively.<sup>195</sup>

It is arguable that where the appointment of judicial officers is being undertaken by the executive or tied to the executive's prerogative, the dictum of 'who pays the piper dictates the tune' becomes the order of the day. Judges may therefore owe their appointment and promotion and other matters of their welfare to the dictates of the executive. A peep into

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<sup>192</sup> Standing Committee on Judicial Independence, American Bar Association, Report of the Commission on Public Financing of Judicial Campaigns (July 2001) (quoting Justice Anthony Kennedy of United States Supreme Court Speech at the ABA Symposium on Judicial Independence), available at < [http://news.findlaw.com/hdocs/docs/aba/abajud\\_f\\_inrpt072001.pdf](http://news.findlaw.com/hdocs/docs/aba/abajud_f_inrpt072001.pdf) > accessed 15 November 2025.

<sup>193</sup> Sherrilyn Ifill, 'Racial Diversity on the Bench: Beyond Role Models and Public Confidence' (2000) 57 WLLR 405, 469.

<sup>194</sup> It is the subject of a number of international instruments such as UN Basic Principles on the independence of the judiciary (1985), Universal Charter of the Judge (1998), IFES Regional Best Practices: A Model Framework for a State of the Judiciary Report for the Americas (2003) which have been described by Randall Peerenboom, above.

<sup>195</sup> Ss 231, 238, 250 and 271 of the 1999 Constitution of the Federal Republic of Nigeria.

other jurisdictions reveals that the appointment of judges may be handled by the judicial body itself. An example is that of India where judges of the Supreme Court were previously appointed by the President on the advice of the Union Cabinet. But by virtue of the rulings in the ‘three judges’ cases’ (1982, 1993, 1998),<sup>196</sup> the President has to appoint judges who have been chosen by the Supreme Court’s collegium— a group consisting of the Chief Justice and the four most senior Justices of the Supreme Court. This is known as the Collegium System.<sup>197</sup> The composition of the collegium is determined by seniority and cannot be shaped by either the legislature or executive. However, owing to criticisms against this system which include opacity and non-accountability,<sup>198</sup> a bill— The Constitution (120th Amendment) Bill 2013, to provide for the setting up of a Judicial Appointments Commission— has been introduced to amend Articles 124(2),<sup>199</sup> 217(1)<sup>200</sup> and 222(1)<sup>201</sup> by inserting Article 124 (A) and (B) in the Constitution.<sup>202</sup> The National Judicial Appointments Commission Bill 2014 was recently introduced in conjunction with that bill and provides for the procedure to be followed for the appointment of judges.

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<sup>196</sup> The cases are (1) *SP Gupta v Union of India* AIR (1982) SC 149, (2) *Supreme Court Advocates on Record Association v Union of India* AIR (1994) SC 268, (3) *In re: Special reference 1 of 1998* AIR (1999) SC 1. Over the course of the three cases, India’s principle of judicial independence was interpreted to mean that no other branch of government had the power to interfere in the appointment of judges. The court then created the collegium system which has been criticised as having no constitutional basis.

<sup>197</sup> Abhinav Chandrachud, ‘The Insulation of India’s Constitutional judiciary’ *Economic and Political Weekly* (27 March 2010, vol XLV, No 13).

<sup>198</sup> See, J Venkatesan, ‘Cabinet clears constitutional status for judicial appointments Commission’ *The Hindu* (26 December 2013). accessed 6 November, 2025.

<sup>199</sup> 124(2) provides that ‘Every Judge of the Supreme Court shall be appointed by the President by warrant under his hand and seal after consultation with such of the Judges of the Supreme Court and of the High Courts in the States as the President may deem necessary for the purpose and shall hold office until he attains the age of sixty-five years: Provided that in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of India shall always be consulted’.

<sup>200</sup> Article 217(1) provides that ‘Every Judge of a High Court shall be appointed by the President by warrant under his hand and seal after consultation with the Chief Justice of India, the Governor of the State, and, in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of the High court, and shall hold office, in the case of an additional or acting Judge, as provided in Article 224, and in any other case, until he attains the age of sixty-two years’.

<sup>201</sup> Article 222(1) provides that ‘The President may, after consultation with the Chief Justice of India, transfer a Judge from one High Court to any other High Court’.

<sup>202</sup> According to the Bill, Article 124 (A) will create the commission while Article 124 (B) will define its functions.

Judicial Appointments Commission will be a six-member body under the chairmanship of the Chief Justice of India who will recommend to the President competent individuals as judges for the Supreme Court and the High Courts. It would also make recommendations for transfer of judges from one High Court to another.

Similarly, in the Israeli judiciary, judges are appointed and promoted by the nine-member Judicial Appointments and Promotions Statutory Committee. The Committee consists of the three branches of government and the Bar Association, but the judiciary constitutes the largest bloc. The names of the candidates are published before selection and a successful candidate must have gained the support of three quarters of the selection Committee.<sup>203</sup>

Where their appointment and promotion are removed from the hands of the executive, members of the judiciary become more fortified with power to determine cases before them without any fear or favour. It is a fact that the majority of corrupt practices come from the executive being the largest arm of the government which is most responsible for the initiation of policies and their implementation.<sup>204</sup> Judges must therefore be separated from the other arms of government to ensure proper and credible adjudication of cases before them.

#### **4.3.4 Adequate Remuneration**

Another factor that contributes to the effectiveness of the judiciary is the payment of adequate remuneration, wages and allowances to judges. Related to this is the provision of adequate infrastructural facilities with which judges would work. Thus, the judiciary must be well-funded. It has been observed that an underfunded judiciary will be handicapped in performing its role. In the words of Nigerian Supreme Court Justice Pius Olayiwola Aderemi, ‘a judiciary that is not independent– a judiciary that goes cap in hand to beg for money to run its affairs

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<sup>203</sup> Eli M Salzberger, ‘Judicial Appointments and Promotions in Israel– Constitution, Law and Politics’ in Kate Malleson and Peter Russell (eds), *Appointing Judges in the Age of Judicial Power: Critical Perspectives* (Toronto University Press 2005).

<sup>204</sup> Oko O, ‘Seeking Justice in Transitional Societies: An Analysis of the Problems and Failures of the Judiciary in Nigeria’ (2005) 31(1) *Brooklyn Journal of International Law*.

can never and should never be expected to discharge its sacred duty of dispensing justice in the ideal way it should.”<sup>205</sup>

A poorly funded judiciary may not be free from political influence and cannot be pro-active. In some states, the salary of a Senior Magistrate is less than the pay of a newly employed bank worker. It should be noted that most corruption-related cases, such as stealing, cheating, etc., come before magistrates as courts of first instance, especially with regard to certain provisions relating to corruption in the Criminal and Penal Codes. Of all the thirty-six states in Nigeria, only a few states remunerate their judges and Magistrates very well by providing state-of-the-art cars and commensurate housing. Examples are Balyesa State, Rivers State and Lagos State, in that order. It is however unfortunate that members of the magisterial cadre, some of who may later become promoted to the higher bench, do not find things easy in terms of remuneration. In Lagos State for instance, many magistrates get paid as little as N150.000 per month.<sup>206</sup> A chief magistrate takes home less than N300.000.00<sup>207</sup> at the end of the month. The highest paid chief magistrate earns less than N450.000<sup>208</sup> a month and such a person in most cases would have been on the bench for between 20 and 25 years aside from the period of his practice as a legal practitioner.<sup>209</sup> This may explain the reason why a number of magistrates are corrupt since they need to engage in those acts in order to supplement their salaries. It is a possibility that a corrupt magistrate, if eventually appointed to the higher bench, would automatically carry on those illegal acts of corruption that he is already used to, to supplement his meagre salary. Thus, judges who participate in these illicit activities and corrupt lifestyles cannot reasonably be expected to be above board on the judicial seat.

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<sup>205</sup> Justice Pius Olayiwola Aderemi, ‘The Role of a Judge in the Administration of Justice in Nigeria’ in JA Yakubu (ed), Administration of Justice in Nigeria: Essays in Honour of Hon Justice Muhammed Lawal Uwais (Lagos, Nigeria, Malthouse Press Limited 2000), 79, 81.

<sup>206</sup> An equivalent of about US\$ 900.

<sup>207</sup> An equivalent of about US\$ 1800

<sup>208</sup> An equivalent of about US\$ 2700.

<sup>209</sup> Ibid.

Accordingly, in our pursuit to attain an independent and impartial judiciary, we cannot escape the reality and consequences that each judge brings to the bench a sum of life experiences. This therefore brings to the fore the fact that it is going to be a herculean task to actually recruit onto the bench poverty-conditioned but corrupt-free persons who have not been caught up in the web of corruption and who are not going to be easily contaminated by the virus of corruption that is prevailing in the country.

#### **4.4 Independence of Anti-Corruption Agencies**

The independence of anti-corruption agencies is widely recognized as a central pillar in the fight against corruption. These institutions are designed to act as impartial guardians of public integrity, with the power to investigate, prosecute, and prevent corruption without fear or favour. When agencies operate autonomously, they can enforce the law consistently, uphold accountability, and foster public trust in governance. Conversely, where anti-corruption bodies are constrained by political control, their actions are often selective, undermined by patronage networks, or curtailed by executive interference, allowing corrupt practices to thrive under the guise of impunity.

In Nigeria, the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and Other Related Offences Commission (ICPC) were established to serve as independent statutory watchdogs tasked with tackling corruption across both the public and private sectors.<sup>210</sup> While these agencies are structurally designed to function autonomously, their operational effectiveness has historically been limited by challenges such as political influence in leadership appointments, executive interference in investigations, and inadequate financial independence.<sup>211</sup> These constraints hinder not only the agencies' ability to act decisively but also the broader credibility of anti-corruption efforts in the country.

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<sup>210</sup> Economic and Financial Crimes Commission (Establishment) Act, 2004; Independent Corrupt Practices and Other Related Offences Commission Act, 2000.

<sup>211</sup> Human Rights Watch, *Corruption on Trial? The Record of Nigeria's Economic and Financial Crimes Commission* (2011).

Beyond structural limitations, public perception plays a critical role in shaping the effectiveness of anti-corruption agencies. Citizens are more likely to comply with laws and support governance reforms when they believe that enforcement agencies act fairly, impartially, and independently. When independence is compromised, enforcement becomes selective, and trust in both institutions and government erodes.<sup>212</sup> This dynamic underscores the importance of protecting agency autonomy as a core strategy for sustainable anti-corruption reform.

The concept of institutional independence is fundamental to ensuring that anti-corruption agencies can operate without undue interference from political, economic, or social actors. Independence allows agencies to make investigative and prosecutorial decisions based solely on legal and evidential considerations rather than political expediency or personal loyalties. In essence, it is the safeguard that ensures justice is impartial and not subject to manipulation by powerful interests.

The United Nations Convention Against Corruption (UNCAC, 2003) explicitly recognizes the necessity of institutional independence in Article 6(2), stating that states should grant anti-corruption bodies “the necessary independence... to enable them to carry out their functions effectively and free from any undue influence.”<sup>213</sup> This principle not only provides a legal and ethical framework for independence but also aligns with global best practices in public governance, which emphasize autonomy, transparency, and accountability as interdependent requirements for effective anti-corruption enforcement.

Institutional independence serves several critical purposes:

1. Ensuring impartiality in investigations and prosecutions – Agencies free from political influence are better able to pursue investigations against public officials or politically connected individuals without fear of retribution. When decision-making is insulated

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<sup>212</sup> Transparency International, *Corruption Perceptions Index 2023: Nigeria Country Report* (Berlin: Transparency International, 2024).

<sup>213</sup> United Nations Convention Against Corruption (UNCAC), 2003, Art. 6(2).

from partisan considerations, enforcement is based on the merits of evidence rather than the influence of patronage networks.<sup>214</sup>

2. Strengthening public trust – Citizens’ perception of fairness and impartiality in anti-corruption efforts directly influences the legitimacy of state institutions. If agencies are seen to operate independently, the public is more likely to trust that corruption will be punished consistently, creating a culture of accountability and civic responsibility.<sup>215</sup>
3. Deterrence of corrupt behavior – Independence enhances the credibility of enforcement mechanisms. When officials know that anti-corruption agencies operate without political interference, the perceived risk of detection and punishment rises, which reduces the incentives for engaging in corrupt practices.<sup>216</sup>
4. Promoting operational effectiveness – Agencies that are structurally independent can design their investigative priorities, deploy personnel strategically, and allocate resources according to operational needs rather than political directives. This autonomy allows for more timely, thorough, and efficient investigations, which is particularly important in complex financial crimes where delays can result in asset flight or loss of evidence.
5. Protecting agencies from retaliatory action – Independence shields anti-corruption bodies from arbitrary removal of staff or leadership, budgetary manipulations, or interference in ongoing investigations. This structural protection allows agencies to

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<sup>214</sup> Kpundeh, S. J., *Building State Capacity in Africa: New Approaches, Emerging Lessons* (World Bank Institute, 2004).

<sup>215</sup> Olowu, D., “Institutional Autonomy and Public Confidence in Nigerian Anti-Corruption Agencies,” *Journal of Financial Crime* (2019) 26(2), 437–452.

<sup>216</sup> Quah, J. S. T., *Curbing Corruption in Asian Countries: Lessons from Singapore* (2015), Asian Education and Development Studies, 4(3), 263–281.

function with continuity and stability, which is essential for sustained anti-corruption efforts.<sup>217</sup>

In Nigeria, while statutory provisions establish the EFCC and ICPC as independent agencies, practical independence is often undermined by political appointments, budgetary dependence, and occasional interference from powerful actors. Strengthening both operational and financial autonomy, alongside statutory guarantees for leadership security of tenure, is therefore essential for these institutions to fulfill their mandates effectively. Comparative studies show that countries with independent anti-corruption bodies, such as Singapore's CPIB and Hong Kong's ICAC, achieve higher rates of detection, prosecution, and asset recovery precisely because their agencies are insulated from political pressures.<sup>218</sup>

It is hereby submitted that institutional independence is not a theoretical ideal but a practical necessity. Without it, anti-corruption agencies risk being perceived as tools of political manipulation rather than instruments of justice. Ensuring genuine autonomy strengthens the rule of law, reinforces public confidence, and creates a more effective deterrent against corruption. For Nigeria, safeguarding agency independence is therefore a cornerstone of any strategy to build a credible, robust, and sustainable anti-corruption framework.

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<sup>217</sup> Sebudubudu, D., "The Impact of Good Governance on Development and Poverty in Botswana," *Botswana Journal of African Studies* (2010) 24(2), 155–170.

<sup>218</sup> ICAC Hong Kong, *Annual Report 2022–2023*; Quah, J. S. T., *Singapore's Corrupt Practices Investigation Bureau: Structure and Effectiveness* (2015).

## CHAPTER FIVE

### CONCLUSION

#### 5.1 Summary of Findings

The following are some of the findings of the study:

1. That there is lack of political will and commitment on the part of the government of Nigeria to effectively combat corruption from its institutions.
2. That a weak and compromised judicial system has seriously impeded the nation's anti-corruption campaign. The judicial process that allows unnecessary injunctive orders and prolonged proceedings of corruption related offences as much as ten years or more before conviction is unhealthy for anti-corruption campaign.
3. That there is frequent political interference in the activities of anti-corruption agencies in the country. That has strongly affected the anti-corruption drive in the country.
4. That the introduction of plea bargain to corruption related offences in the country has seriously undermined the anti-corruption campaign. This makes the anti-corruption fight in the country a mockery presenting the country in bad light in the comity of nations.

#### 5.2 Recommendations

Consequent on the above, we respectfully present hereunder the following recommendations/required actions by policymakers in government institutions, specifically the executive branch, legislative bodies, judiciary, law enforcement and anti-corruption agencies (ACAs):

1. There is need for policy and legal frameworks intervention to prioritized anti-corruption campaign in the country. All public institutions should be seen to be operate in a more transparent manner so as to get rid of corrupt practices

2. There is need for the judicial system to be reactivated to make it more effective so as to be able to give judicial decisions that would put the courts in the right of place in having worthy public institutions in the country.
3. The nation's anti-corruption agencies should be made independent to be able to proactively combat corrupt practices in the country, by seeing government interference in anti-corruption matters a thing of the past.

### **5.3 Conclusion**

Public corruption in Nigeria remains one of the most formidable obstacles to sustainable development, democratic consolidation, and social justice. Despite decades of anti-corruption rhetoric and the establishment of institutions such as the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC), the persistence of systemic corruption underscores the inadequacy of existing legal and institutional frameworks. The Nigerian experience demonstrates that corruption thrives where laws are weak, enforcement is inconsistent, and institutions are compromised by political interference.

Strengthening the legal and institutional architecture is therefore not merely desirable but imperative. Legal reforms must prioritize clarity, enforceability, and deterrence. This includes revising outdated statutes, harmonizing anti-corruption laws, and ensuring that penalties are proportionate and consistently applied. Equally important is the independence and capacity of institutions: anti-corruption agencies must be insulated from political pressures, adequately funded, and staffed with professionals who are shielded from reprisals. Judicial reforms are also critical, as prolonged trials and procedural loopholes have historically undermined accountability in high-profile corruption cases.

Institutional reforms must extend beyond enforcement agencies to encompass the broader governance ecosystem. Transparency in public procurement, digitization of government

services, and robust whistleblower protections can reduce opportunities for corruption. Civil society and the media must be empowered to serve as watchdogs, while international cooperation can help trace and recover illicit financial flows.

Ultimately, combating corruption in Nigeria requires a holistic approach that integrates legal reform, institutional strengthening, and cultural reorientation. Laws and institutions alone cannot succeed without a societal commitment to integrity and accountability. By embedding anti-corruption principles into governance and ensuring that no individual or office is above the law, Nigeria can begin to reverse decades of squandered resources and restore public trust. The path forward lies in transforming anti-corruption efforts from symbolic gestures into systemic safeguards, thereby laying the foundation for a more transparent, equitable, and prosperous nation.

#### **5.4 Contributions to knowledge**

The study contributes to knowledge in the following ways:

1. In order to be able to combat corruption in the country and to have a healthy environment where growth and development can thrive, it is imperative therefore, that a holistic and proactive legal framework should be activated to make public institutions independent and not built around individuals.

## BIBLIOGRAPHY

### ARTICLES AND JOURNALS

Abdul A M, Maiwada, M M and Atiku, M A , 'Assessing the Efficiency of Leadership Training in Organization: Probing the Trend from Economic and Financial Crime Commission' (Editorial Board, 2022) 163

Agbibo, D.E. 'Between Corruption and Development: The Political Economy of State Robbery in Nigeria' [2012] 108(3) *Journal of Business Ethics* 325.

Aiyede, E. R. (2016). An assessment of the effectiveness of anti-corruption agencies in Nigeria. *Journal of Social Policy and Society*, 13(1), 89-104.

Aiyede, E. R. (2016). An assessment of the effectiveness of anti-corruption agencies in Nigeria. *Journal of Social Policy and Society*, 13(1), 89-104.

Albert, A. (2016). Combating corruption in Nigeria and the constitutional issues arising. *Journal of Financial Crime*, 23(4), 700-724.

Anazodo, R., Igbokwe-Ibeto, C., & Nkah, B. (2015). Leadership, Corruption and Governance in Nigeria: Issues and Categorical Imperatives. *African Research Review*, 9(2), 41.

Bandura A (1977). *Social learning theory*. Englewood Cliffs, NJ: Prentice Hall.

De Sardan, J P O., 2014. Abandoning the Neo-Patrimonialist Paradigm. *The Politics of Governance: Actors and Articulations in Africa and Beyond*, 3, p.75.

DiMaggio, P. J & Powell W W (1991). The iron cage revisited: Institutional isomorphism and collective rationality in organizational fields. *The new institutionalism in organizational analysis* (pp. 41-62). Chicago, IL: University of Chicago Press.

Edeh, J N, Nwokwu, P M and Ugbala, K I 'Economic and Financial Crimes Commission's (EFCC) Performance in Combating Corruption in Nigeria: Buhari's Administration in Perspective (2015–2020)' (2022) 17(1) *International Journal of Development and Management Review* 123–145

Fatile, J. (2012). Corruption and the Challenges of Good Governance in the Nigerian Public Sector. *Africa's Public Service Delivery and Performance Review*, 1(3), 46.

Felicia H., A. (2013). Democracy, Good Governance and Development: Nigeria's Experience. *IOSR Journal of Humanities and Social Science*, 8(5), 61-67.

Gberevbie, D. (2014). Democracy, Democratic Institutions and Good Governance in Nigeria. *Eastern Africa Social Science Research Review*, 30(1), 133-152.

George, C. (2018). Corruption and sustainable development in Nigeria: The role of anti corruption agencies. *International Journal of Social Science Studies*, 6(1), 1-10.

Hassan, I., Falana, A., & Ortal, T. (2015). Empirical analysis of the challenges facing anti corruption agencies in Nigeria. *International Journal of Politics and Good Governance*, 6(6.2), 1-15.

Heidenheimer, A J., Johnston, M. and LeVine, V.T. *Political Corruption: A Handbook* (Transaction Publishers 1993).

- Hellman, J S., Jones, G., and Kaufmann, D. 'Seize the State, Seize the Day: State Capture, Corruption and Influence in Transition' (2000) SSRN Working Paper <https://ssrn.com/abstract=240555> accessed 27 August 2025.
- Hillman, A L 'Rent Seeking' in W.F. Shughart II, L. Razzolini and M. Reksulak (eds.), *The Elgar Companion to Public Choice*, Second Edition (Edward Elgar Publishing 2013) 307.
- Igbinedion, S A., 'Socio-Legal Evaluation of Grand Corruption in Africa' [2017] 4(1) *Journal of Comparative Law in Africa* 86.
- Igbokwe-Ibeto, C., & Joseph, C. (2014). Anti-Corruption Crusade in Nigeria: More Words than Deeds. *International Journal of Public Policy and Administration Research*, 1(2), 47-63.
- Khan, M. (2012). Governance and growth: History, ideology and methods of proof. *Good Growth and Governance in Africa: Rethinking Development Strategies*, 51, 79.
- Mauro, P. 'Corruption and Growth' [1995] 110(3) *Quarterly Journal of Economics* 681.
- N M Adeniyi, 'The Examination of Anti-Money Laundering Laws in Nigeria as International Law Overview' (2022) 25(3) *Journal of Money Laundering Control* 527
- Nye, J S., 'Corruption and Political Development: A Cost-Benefit Analysis' [1967] 61(2) *American Political Science Review* 417.
- Odo, L. (2015). Democracy and Good Governance in Nigeria: Challenges and Prospects. *Global Journal of Human Social Science: F Political Science- Double Blind Peer Review International Research Journal*, 15(3).
- Ogbeidi, M. (2012). Political leadership and corruption in Nigeria since 1960: A socioeconomic analysis. *Journal of Nigeria Studies*, 1(2).
- Ogundiya, I S 'Anti-Corruption Reforms in Nigeria: Challenges and Failures' in I.S. Ogundiya, A.O. Olutayo and J. Amzat (eds.), *Assessment of Democratic Trends in Nigeria* (Gyan Publishing House 2011) 191.
- Oke, L. (2010). Democracy and Governance in Nigeria's Fourth Republic. *African Research Review*, 4(3).
- Oyetunde, O 'Neopatrimonialism and Democratic Consolidation in Nigeria' [2022] 1(1) *E-International Relations* 1.
- S, Olanike , Oladele Joseph, N., David K I., & Idowu Kikelomo, E. (2016). Good Governance and Leadership: Pathway to Sustainable National Development in Nigeria. *Journal of Public Administration and Governance*, 6(1), 35.
- Seers, D. *The Meaning of Development* (Institute of Development Studies 1969).
- Svensson, J. 'Eight Questions About Corruption' [2005] 19(3) *Journal of Economic Perspectives* 19.
- Ugur, M. and Dasgupta, N. *Evidence on the Economic Growth Impacts of Corruption in Low-Income Countries and Beyond: A Systematic Review* (EPPI-Centre Social Science Research Unit, Institute of Education, University of London 2011).
- United Nations Development Programme (UNDP), *Human Development Report 2021/2022: Uncertain Times, Unsettled Lives: Shaping Our Future in a Transforming World* (New York: UNDP, 2022).

United Nations Development Programme (UNDP), Human Development Report 1990 (UNDP 1990).

United Nations, European Commission, International Monetary Fund, Organisation for Economic Co-operation and Development and World Bank, System of National Accounts 2008 (2009).

Uwasomba, C., & Ezeani, E. (2019). Challenges of anti-corruption agencies in Africa: A critical assessment of Nigeria's EFCC. *African Journal of Political Science and International Relations*, 13(2), 42-52.

Uwasomba, C., & Ezeani, E. (2019). Challenges of anti-corruption agencies in Africa: A critical assessment of Nigeria's EFCC. *African Journal of Political Science and International Relations*, 13(2), 42-52.

Wasinda, G., Reuben, I. & Mohammed, M. "The Chemistry of Corruption in Nigeria and the Way Forward" (2020)

Wawrosz, P. 'How Corruption Is and Should Be Investigated by Economic Theory' [2022] 10(12) *Economies* 326.

Webster J. and Watson, R.T. 'Analyzing the past to prepare for the future: Writing a literature review' [2002] *MIS quarterly* xiii.

World Bank, 'GDP per capita—Glossary; World Development Indicators Metadata' [https://databank.worldbank.org/metadataglossary/statistical-capacity-indicators/series/5.51.01.10.gdp?utm\\_source=](https://databank.worldbank.org/metadataglossary/statistical-capacity-indicators/series/5.51.01.10.gdp?utm_source=) accessed 27 August 2025

## **BOOKS**

Johnston, M. (2005). *Syndromes of Corruption: Wealth, Power, and Democracy*. Cambridge: Cambridge University Press.

Rose-Ackerman, S "Establishing the Rule of Law" in Robert I. Rotberg (ed), *When States Fail: Causes and Consequences* (Princeton: Princeton University Press, 2004) 183.

Rose-Ackerman, S and Palifka, B.J. , *Corruption and Government: Causes, Consequences, and Reform* (Cambridge University Press 2016).

## **ONLINE SOURCES**

According to the Accountability Lab, there are currently 13 national campaigns around the world, 245 winning integrity icons from 15,000 nominations from the public. Accountability Lab (undated), Accountability Lab Strategy 2023-2026, <https://accountabilitylab.org/wp-content/uploads/2023/01/Accountability-Lab-Strategy-2023-to-2026.pdf>.

Basel Institute of Governance (2014), 'Nigeria: Corporate Governance Rating System (CGRS)', <https://collective-action.com/explore/initiatives/1492>.

Bentley, J. and Mullard, S. (2019), *Follow the integrity trendsetter: How to support change in youth opinion and build social trust*, Bergen: Chr. Michelsen Institute, <https://www.u4.no/publications/follow-the-integrity-trendsetter>.

For example, in Peru, the TV show *Simplemente Maria* contributed to a rise in enrolment in literacy classes. Meanwhile, in India, the radio soap opera *Tinka Tinka Sukh* prompted several villages to discontinue dowry practices. For an examination of these examples, see Bicchieri (2017), *Norms in the Wild*. Nigeria-based entertainment groups have also made interventions based on fictional role models dealing with moral dilemmas such as a 2019 political drama film titled *4th Republic*: See *4th Republic Film* (2020), ‘4th Republic’, <https://4threpublicfilm.com>.

For example, peer-led approaches to changing norms of bribery and weaken norms of reciprocity among hospital staff in Tanzania achieved positive and statistically significant results by empowering champions. See Kubbe, I., Baez-Camargo, C. and Scharbatke-Church, C. (2024), ‘Corruption and Social Norms: A New Arrow in the Quiver’, *Annual Review of Political Science*, 27, pp. 423–44, <https://doi.org/10.1146/annurev-polisci-051120-095535>.

For example, their ‘Catch Them Young Initiative’. See *Step Up Nigeria* (undated), ‘Catch Them Young Initiative’, <https://stepupnigeria.org/catch-them-young-initiative>.

Guerzovich, F., Gattoni, M. S. and Algosó, D. (2020), *Seeing new opportunities: How global actors can better support anticorruption reformers*, report, New York: Open Society Foundations, <https://www.opensocietyfoundations.org/publications/seeing-new-opportunities-how-global-actors-can-better-support-anticorruption-reformers>.

Khan, M. H. (1996). A typology of corrupt transactions in developing countries. *IDS Bulletin*, 27(2), 12-21. <https://doi.org/10.1111/j.1759-5436.1996.mp27002002>.

Khan, M., Andreoni, A., & Roy, P. (2019). *Anti-corruption in adverse contexts: Strategies for improving implementation*. <https://ace.soas.ac.uk/publication/anti-corruption-in-adverse-contexts-strategies-for-improving-implementation/>

Majaski, C. 'What Is Rent Seeking in Economics, and What Are Some Examples?' (Investopedia, 2024) <https://www.investopedia.com/terms/r/rentseeking.asp>

Nyaluke, D. 'The Basis of Democracy and Regime Legitimacy in African States' (unpublished PhD dissertation, Dublin City University 2013) <http://doras.dcu.ie/19405>.

Oluyide, S. (2020). The suspended EFCC boss: An egg on the face of the government. *Premium Times*. Retrieved from <https://www.premiumtimesng.com/news/headlines/407903-covid-19-patriotism-and-nigerias-resilience.html>

Parker, C. (2002). The compliance trap: The moral message in responsive regulatory enforcement. *Law and Society Review*, 40(3), 591-622. <https://doi.org/10.2307/1512183>

Robeyns, I. and Byskov, M.F. , 'The Capability Approach', *The Stanford Encyclopedia of Philosophy* (Fall 2023) <https://plato.stanford.edu/archives/fall2023/entries/capability-approach/>.

Stiglitz, J.E. Sen, A. and Fitoussi, J.P. Report by the Commission on the Measurement of Economic Performance and Social Progress (2009) <https://www.ofce.sciences-po.fr/pdf/dtravail/WP2009-33>.

The example of the Catholic Church in Kenya rejecting cash donations and pledges by President William Ruto is illustrative of the way religious leaders and groups can advance accountability. See Nzwili, F. (2024), ‘Kenyan Catholic Church Rejects President Ruto’s Financial Donation’, *OSV News*, 21 November 2024, <https://www.osvnews.com/2024/11/21/kenyan-catholic-church-rejects-president-rutos-financial-donation>. Research also

shows that women and young people are often viewed as credible and trustworthy anti-corruption advocates.