



Thesis

By

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**The Department of
Political Science
submitted to the Faculty
of the Social Sciences
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Ethics in Nigerian Public Administration: A Study of the Federal Civil Service

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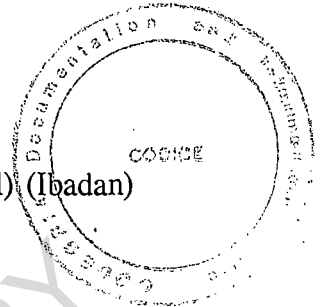
**ETHICS IN NIGERIAN PUBLIC ADMINISTRATION: A STUDY OF THE
FEDERAL CIVIL SERVICE**

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BY

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Matric No 45890



A thesis in the Department of Political Science submitted to the Faculty of the Social Sciences in partial fulfillment of the requirements for the degree of DOCTOR OF PHILOSOPHY of the UNIVERSITY OF IBADAN

August 1998.

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**ETHICS IN NIGERIAN
PUBLIC ADMINISTRATION: A STUDY OF THE FEDERAL
CIVIL SERVICE**

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DEDICATION

This Work Is Dedicated To My Godfather, mentor and a benefactor extraordinary

Professor Femi Otubanjo

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ACKNOWLEDGEMENTS

God works through human beings to achieve His purposes. It has pleased God to use many people in the course of carrying out this study. Mercifully, they surrendered themselves to the divine injunction and individually and collectively, made the accomplishment of the goals of this study a painless exercise. It is therefore necessary to give honour to whom it is due.

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Some of my students also prove that they can be good friends. Among other things, some of them assisted in the administration of the questionnaire for the study. In this category are Miss Dayo Bodede and Miss Kate Ijeh. I wish them success in their future endeavours.

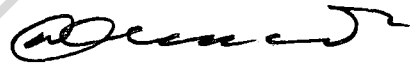
Special commendation goes to my wife, Tinu . Her love, patience, understanding, forbearance and loyalty are invaluable.

Lastly, my sincere appreciation goes to the Council for the Development of Social Research in Africa (CODESRIA), Dakar, Senegal and the French Institute for Research in Africa (IFRA), University of Ibadan. They generously gave grants which enabled me to carry out the study.

Billy A. Oyadare.

CERTIFICATION

I certify that this study was carried out by Buliamin Ayinde OYADARE in the Department of Political Science, University of Ibadan, Ibadan, under my supervision.



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ABSTRACT

The Nigerian civil service tends to be poorly rated. Popular perceptions, pronouncements of high ranking public officials, reports of government-appointed commissions, observations by former top civil servants as well as academic assessments are all unanimous in scoring civil servants very low in their professional conduct. Above all, government's dissatisfaction with the operations of the civil service is demonstrated by its penchant for setting up extra-ministerial bodies to implement some crucial or pet projects.

Reference to professional standards has been identified as the key to the resolution of the problems facing the civil service. Curiously enough, administrative ethics is an issue that has rarely engaged the attention of both academics and practitioners in Nigeria despite the perennial search for a more responsive and effective civil service. At the policy level, there has been an over-reliance on the existing plethora of rules and regulations in place to guide the conduct of civil servants. In addition, many other *ad hoc* measures have been taken to sensitize civil servants to ethical considerations.

Sadly enough, all these protean measures have achieved very little practical results in awakening ethical consciousness and conduct among the Nigerian civil servants. In view of the foregoing, the study examines, among others, the following questions: What institutional arrangements and environmental factors (if any) impact upon the ethical behaviour of Nigerian civil servants? How effective is enforcement? What policy

suggestions can be made to provide a conducive climate for ethical behaviour among Nigerian civil servants?

In effect, the prevailing state of professional conduct of Nigerian civil servants is deplorable and the need for action to remedy it has a particular urgency. The study therefore set out to highlight both the institutional and ecological factors that shape the ethical inclination of Nigerian civil servants with a view to proffering policy suggestions on how to raise ethical standards.

The significance of the study lies in its social relevance. Understanding the ethical disposition of Nigerian civil servants provides a window into the more abiding problem of efficiency in the civil service. In essence, the study is an attempt to focus on the human factor in Nigeria's civil service which existing policies and studies have tended to ignore. Yet this human dimension is crucial as structures are given life by human beings.

In conducting the study, a field investigation of views of senior bureaucrats in the Federal civil service is undertaken. Responses from the field are processed and supplemented with documentary and archival search.

The findings of the study reveal a profound institutional gap which seriously circumscribes the efficacy of institutional contrivances. This problem of institutional gap is further compounded by ecological factors that bear on the performance of civil servants. In view of the foregoing, the study recommends what it describes as a 'synergistic therapy' in curing the ills of the Nigerian civil service.

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CHAPTER ONE

INTRODUCTION

1.1 Background to the Study: Ethical Profile of the Nigerian Civil Service

The Nigerian civil service has a very low estimation among almost all strata of the society. Popular perceptions, pronouncements of high ranking public officials, reports of government-appointed commissions and task forces, observations by former top civil servants, as well as academic assessments are all unanimous in scoring civil servants very low in their professional conduct.

A popular view of the civil service is that it is complacent, overbloated, lacks direction, unpurposeful, and above all, unproductive. Furthermore, it is alleged that it is corrupt, unresponsive, self-serving, impervious to change and lacks initiative. Yet others have described the civil service as being distinguished for its notorious unwieldiness and sluggishness, averse to initiatives and innovations, compromises principles and accountability.

As a matter of course, these allegations are too general. Specific allegations of professional misconduct among civil servants abound. In the first instance, it is observed that there is a considerable decline in the attitude of most civil servants.

There is a prevalent notion that government job is nobody's job. Hence civil servants are nonchalant in their conduct towards members of the public. Besides, majority of civil servants resume and close at work at will. Even when they are actually seated at their places of work, they are mostly chatting away with friends, discussing personal issues and neglecting people who have come to transact official business. Consequently, issues that should ordinarily be treated within few minutes are delayed for weeks or even months.

Another notable feature of the Nigerian civil service is the scale and range of commercial activities which take place in the government secretariat. It is alleged, for instance, that contracts are purchased, sold, and resold just as various goods and services are sold and bought during working hours. The articles range from clothes to kitchen wares and souvenirs. Sellers may be civil servants or traders from outside. Goods are often sold on credit, usually against pay day. Some typists allegedly bring 'outside' jobs to the ministries, type them with the ministries facilities, and then take them home to collect contractual charges from their clients. Drivers of government vehicles also make quick money by turning the vehicles into **kabukabu** (commercial purpose) whenever the opportunity arises.

That is not all. Unethical conduct among Nigerian civil servants also manifests in other forms. The Nigerian version of the lunch break is another interesting aspect of the civil service culture. To be sure, there are still restaurants or canteens where civil servants can take their meals. However, there is no definable lunch break. Many civil servants abscond from their duty post under the pretence of going on break. Finally, many civil servants appear uninterested in their jobs and do not care for government property. An atmosphere of sloppiness pervades many offices.

Even political executives with whom civil servants collaborate to run the affairs of the state do not hold positive views on their conduct. For instance, a one-time Military Administrator of Taraba State, Colonel Yohana Dickson accused senior civil servants of stunting the economy by slowing down development in the state. He also remarked that the civil servants placed self interest above that of the state by demanding gratification before processing documents for investors, thus scaring them away.¹

The administrator also pointed out that top civil servants had formed the habit of attending to contractors with huge contractual bills because of the benefits

¹ See the *The Guardian* (Lagos) Dec 25 1993 p.2

attached to them while smaller contractors whose bills would not attract any kick-backs rarely got paid for their jobs. He also indicted the civil servants for signing and collecting huge but fictitious claims in the name of touring advance but subsequently convert same into ministerial debts. Indeed, such is the low level of bureaucratic morality in Nigeria that some state governments (e.g. Rivers state) have instituted an annual merit award scheme to honour outstanding civil servants identified to deviate from the prevailing low work ethics that pervades every stratum of the civil bureaucracy.

Even government-appointed panels and commissions at various times have not lost sight of this scourge. The Public Service Review Commission of 1974 complained of 'low standard of discipline and productivity in the service'. Giving an insight into the conduct of civil servants, the commission lambasted the conduct of officials in the Ministry of Establishments, which is typical of all the ministries. According to the commission, many members of the clerical class appear not to take their work seriously. They no longer look forward to a career in their class but rather look at it as a stop gap or as a stepping stone to winning a scholarship to a university. In a similar vein, according to the commission, those in the Executive class spend a good deal of their time calculating their chances of

promotion to the next grade based on their position in the staff list, or on grievances about the disparities between their terms and conditions of service and those of the Administrative class.²

Similarly, the Political Bureau reported that the general picture which arose from references which touched on the role and behaviour of civil service bureaucratic organs was one of complaints and resentment. The Report noted that 'Today, an average Nigerian perceives the civil service negatively. All kinds of vices are associated with this institution. These include red-tapism, rigidity and conservatism on the one hand, and corruption, inefficiency, nepotism, ineffectiveness, wastefulness, laziness, absenteeism, high-handedness and insensitivity, on the other'. The Report also submits that 'Many people in the civil service tend to display a condescending attitude towards the public.. They do not always seem to appreciate the fact that the public constitutes the master in the relationship between the rulers and the ruled.'³

Besides, not many retired civil servants will look back and be glad at the quality of civil service that is running the affairs of the country today. The trend

² See *Public Service Review Commission Report* (1974) p. 37

³ *Report of Political Bureau* (1987) p. 109

is that most ex-civil servants recall with nostalgia the glorious years of civil service. A former Head of Service and Secretary to Government declares that things have fallen apart in today's civil service. Its neutrality is directed into indifference to the sufferings of the majority outside government. The average civil servant now engages unabashedly in institutionalised corruption. He further alleges that nowadays, contracts are awarded not necessarily to be executed but to satisfy the wrong notion that budgetary provisions are made to be spent at all cost. He also describes this 'end-time' civil servant as a clandestine agent of nepotism, favouritism and clannishness.⁴

Academic assessments of ethical disposition of Nigerian civil servants are not encouraging as well. Ladipo Adamolekun for instance distinguishes between two levels of professionalism: possession of adequate knowledge and appropriate skills and techniques as well as respect for certain values and ethics. Irrespective of the character of the regime (military or civilian), Adamolekun contends that there is no appreciable difference in the ethic and values prevalent in the civil services. The tradition is one of disregard for the norms associated with the

⁴ Akinyele, T.A. (1995) *Why is Daddy A servant?* Lecture delivered at the Oyo State Public Service Forum.

operation of established administrative institutions.⁵

Bala Takaya paints a similar picture. He describes Nigerian civil servants as being self-seeking, venal and nepotistic. Alex Gboyega and Yaya Abubakar corroborate this remark. They observe that:

... today's (civil servant) appears to be a different breed from his counterpart of yester-years. The desirable attributes of honesty, dedication, integrity, hardwork, selflessness, loyalty, thirst for knowledge and fairness are generally in short supply in men of public affairs today and (civil) servants are no exception to the lack.⁶

Takaya also discussed the various dimensions and mechanics of unethical behaviour among the Nigerian civil servants. In the first instance, contrary to the expectation that civil servants, being the permanent aspect of public stewardship and hence best placed to check corruptive tendencies of the political class, they appear to be the most depraved vectors of corruption. They initiate the political office holders into the nitty-gritty of graft and how to hide their loot at home or

⁵ Adamolekun, Ladipo (1986) *Politics and Administration in Nigeria* Ibadan, Spectrum p. 167.

⁶ Gboyega, Alex and Abubakar, Yaya (1989) 'Introduction - Nigerian Public Administration in Perspective' *Nigeria Since Independence* series, Ibadan; Heinemann Vol VIII p. 9.

abroad. This is a way of keeping open the channel of further siphoning or, at least, protecting the previous loot. Similarly, greenhorns in the profession are socialized into venality before their career prospects are assured.

Secondly, there is mad rush to acquire material possessions to take care of post-service life. As a result, each civil servant scrambles to be deployed to a ministry or department with much materials to handle. In other words the prime determination of where a civil servant wants to be deployed is not the services to be rendered but extra-legal benefits that accrue from it.

Thirdly, civil servants tremendously contribute to excessive costs of government projects. Professional assessment and recommendations for contract awards to private businessmen are not always made on basis of merit, competence or market value of materials. In the same vein, in the purchase of materials for government use, many distortions are written into technical records to escalate prices in consideration of 'private benefits' already arranged with sellers. The opposite occurs when it is the government that is selling.

There is also the issue of nepotism. 'Merit' should be the operating norm for bureaucrats in their operational and personnel practices. In reality however, social ties do not allow for merit to take root. Socio-economic ties appear to

influence behaviour in all aspects of public service. Activities like recruitment, promotions, contract awards, service delivery, and school admission are those in which extra-merit considerations loom large. This situation gives rise to the perennial problems of discipline in the public service, the reason being that it encourages clients to seek to 'buy' access to decision makers through bribery.

Finally, most civil servants consider their offices as stepping stones to private business. Immediately they rise to the top, they go on retirement before the statutory retirement age to establish their own business enterprises. They however raise the necessary capital while still in office through several unethical means. For instance under the first military regime, top bureaucrats manouvered themselves into the boards of economic parastatals and companies in which government holds shares to learn the business process as well as to establish the necessary connections for the future. In the period of indigenization programme, many acquired shares - some for free- that were shed by foreign concerns, irrespective of rules prohibiting such.

Above all, government's dissatisfaction with the operations of the civil service is demonstrated by its penchant for setting up extra-ministerial bodies like commissions, agencies, boards, task forces etc. to implement some crucial or pet

projects. The usual excuse for by passing the regular civil service structure is the tardiness in its operations which often lead to non-realisation of set goals. The foregoing is the ethical profile of the Nigerian civil service and serves as the background information for the articulation of the problem.

1.2 Statement of Problem

Efficiency has been identified as the central issue in contemporary Nigerian public administration⁷. Efficiency in turn is grounded in values. The values of bureaucrats help in no small way to shape the directions and cultures of the organization they manage. Against this backdrop, one appreciates the submissions of the Report by a subcommittee of the First Division Association, the former Administrative Class of the British Civil service published in 1971. The Report noted that the key to the resolution of the problems facing the civil service is the reference to professional standards. It contended that 'In the civil service these embrace the exercise of technical skills, the operation of organizational procedures, and **ethical standards governing the performance of both**' (emphasis mine). The premise is that the question of ethical standards determine how civil servants

⁷ M.J. Balogun (1983) *Public Administration in Nigeria* London; Macmillan p.208.

perform their work in relation to the loyalties they observe and the conflicts they perceive.

The Report underscores the significance of administrative ethics by averring that:

Civil servants are expected to be more than merely technically competent; they are expected in the last resort to make good judgements, e.g. to be abreast of public opinion and to have regard to equity.

The final words in the Report were that:

The ethical aspect of professional standards must not be neglected, especially in this period of change in the civil service... we do not think the service can command respect or have reasonable morale unless everyone recognizes that technical expertise and efficient procedures are not enough. Professional standards must receive a far bigger of the attention that is now given to the government machine.

More recently, James S. Bowman has pursued a similar line of argument, thereby reinforcing the submissions of FDA Report. Bowman contends that despite the significance of managers in interpreting the public good, few studies have examined their attitudes as they pertain to contemporary ethical problems in public affairs. He avers that perceptual data such as these are clearly important since ethical public administration implies action, that is, it attempts to answer the

question 'what should be done?'⁸

Administrative ethics is an issue that has rarely engaged the attention of both academics and practitioners in Nigeria despite the perennial search for a more responsive and effective civil service. Undeniably, as shown in the preceding section, the popular press has been full of allusions to the same for quite some time. But curiously enough, no detailed, scholarly and systematic study of the phenomenon has been carried out. As a matter of course, some pockets of essays are exceptions to this observation.

The lurid picture of administrative behaviour of Nigerian civil servants painted in the preceding section may suggest an absence of rules and regulations guiding the conduct of civil servants. Yet, to hold such a belief would be missing the point. Legislations abound as to how civil servants and public officers in general should behave in respect of their offices. There are the **Civil Service Rules** (formerly General Order), **Civil Service Handbook** and relevant provisions in the 1988 Civil Service Reforms all of which apply most specifically to civil servants. Others that apply to all categories of public officers including civil servants are the provisions of **Financial Instructions**, the Public Complaints

⁸ James S. Bowman (1990) 'Ethics in Government' *Public Administration Review* p. 345.

Commission Decree No. 31 of 1975, the Corrupt Practices Decree No. 38 of 1975 and the Code of Conduct Bureau and Tribunal Decree No. 1 of 1989 (now enshrined in the 1989 constitution). Moreover, government agreed with the recommendation of the Udoji Commission on the need for a positive conception of public service, reflected in a code of ethics and subscribed by every employee, whatever his level of responsibility. This is supposed to constitute an essential part of the contract of service with the government or its corporate autonomous agencies. In this vein, the Oaths (Amendment) Decree No. 22 of 1976 was promulgated and which was supposed to be administered on various categories of public office holders.

Some other *ad hoc* measures already taken to sensitize civil servants in particular and public servants in general to ethical considerations are the great purges of 1975 and 1984 as well as programmes like Ethical Revolution and War Against Indiscipline (WAI). Specifically, one phase of WAI was targetted at civil servants, codenamed Operation Excellence, (OPEX). Between October and December 1983, a Ministry of National Guidance was established as a framework for pursuing the ideals of ethical revolution programme.

Nevertheless all these protean measures have achieved very little practical

results in awakening ethical consciousness among the Nigerian civil servants, as evident from the preceding section. Some questions therefore become pertinent at this juncture. What is the extent and nature of the existing common standards? Are they generally understood, acted on, and sufficiently comprehensive? If they are not fully understood, or are inadequate, is it possible and desirable to develop a new general set of standards? What institutional arrangements and environmental factors (if any) impact upon the ethical behaviours of civil servants? What is the strength and direction of such impact? What measures (administrative and judicial) are in existence for redressing violation of administrative ethics in Nigeria? How effective is enforcement? Is it a scarecrow? What factors account for the slide from a civil service with high professional standard bequeathed by the colonial regime to a post-colonial administrative organ with very low work ethics?

What is the role of professional and trade unions to which civil servants belong in imparting professional standards in them (civil servants)? What is the role of in-service training in sensitizing civil servants to adequate professional conduct? Overall, what policy suggestions can be made to provide a conducive climate for ethical behaviours among Nigerian civil servants?

All these are worthwhile research questions, no doubt. The prime motive

for this proposed study is that valid answers to these questions can only be obtained through empiricism and not through intuition or prophecy.

1.3 Objectives

The logic that propels this study is the proposition by FDA that it is desirable to 'conduct an elaborate enquiry' in order 'to find out what civil servants regard as principles of conduct, and the extent to which they think they and their colleagues observe them'. The utility of such an endeavour would be to throw some light on the nature of current professional standards and the factors which bear on them. This is what this study hopes to achieve in respect of the Nigerian civil service.

In essence, the prevailing state of professional conduct of Nigerian civil servants is deplorable and the need for action to remedy it has a particular urgency. Since 'the fostering of professional standards in individuals is the essential counterpart of institutional change - one will be ineffective without the other',⁹ the main objective of this study is to inquire into the character of administrative ethics in Nigeria and ultimately come up with mechanisms capable

⁹ Maurice Wright (1973) 'The Professional conduct of civil servants' *Public Administration* Vol 51 p.2

of translating principles and philosophies into ethical behaviours for civil servants.

To facilitate the achievement of our major objective, the following sub-objectives are pursued:

- (i) To explore the moral disposition of, and as such, illuminate the administrative behaviour of Nigerian civil servants.
- (ii) To highlight both the institutional and ecological factors that shape the ethical inclination of Nigerian bureaucrats.
- (iii) To proffer policy suggestions on how to raise ethical standards which govern the performance of both the exercise of technical skills and operation of organizational procedures in the civil service.

1.4 Justification of Study

Firstly, this study is significant because of its social relevance. Understanding the ethical disposition of Nigerian civil servants provides a window into the more abiding problem of efficiency in the machinery of government. The premise of this argument has been forcefully canvassed by Dennis F. Thompson:

Ethics is mainly instrumental to government: Its main purpose is to contribute to the other, intrinsic goals of

government....

From the truth that ethics is mainly instrumental, it does not follow... that ethics is always less important than other issues. Ethics may be only instrumental, it may be only a means to an end, but it is a necessary means to an end. Government ethics provides the pre-conditions for the making of good public policy. In this sense, it is more important than single policy, because all policies depend on it.

But how can ethics provide the pre-conditions for good government? Thompson postulates that:

ethics rules, if reasonably drafted and reliably enforced, increase the likelihood that officials will make decisions on the basis of factors such as private gain that should be irrelevant.

Undeniably, reports in the popular press are replete with stories on unethical conducts among civil servants in the country. Indeed, popular uproars against official misconducts among bureaucrats precipitated the establishment of the Public Complaints Commission, an ombudsman in 1975. Moreover, the mass purges in 1975 and 1984 were heralded by trenchant criticisms articulated by the attentive public against civil servants. Nevertheless, hitherto no scholarly study focussing on ethics among Nigerian civil servants has been undertaken. This situation makes our study imperative.

In essence, the study is an attempt to focus on the human factor in Nigeria's

civil service which existing policies and studies have tended to ignore. While serious efforts have been made in the past to overhaul the country's administrative machinery (e.g. the Report of the Public Service Review Commission of 1974 and the 1988 Civil Service Reforms among others.), scholarly literature and policy measures on the professional conduct of bureaucrats who run the structures are relatively scanty and uncoordinated. Yet this human dimension is crucial as structures are given life by human beings. The assumption that propels this study therefore is that a large part of the sum total of Nigeria's civil service problems has defied solution because of the over-concentration of official policy and supportive studies on the structural aspects while human aspects have been neglected.

Admittedly, some pockets of studies have been undertaken which touch on administrative ethics. Such studies in the main focus on bureaucratic corruption. But bureaucratic corruption is not synonymous with administrative ethics. The former is but a mere item of the latter. The narrow focus of such studies underscores the need for a study with a comprehensive focus that administrative ethics entails. This is what this study aspires to address.

Finally, the study has remarkable academic potential because of its

empirical bent. There is a yawning gap to be filled in the literature of bureaucratic morality. This has found effective summary in Terry Cooper's assertion that even though ethics research has received increasing attention in the past one decade, most of the work to date has been theoretical, both descriptive and narrative, with either no clear empirical underpinning or empirical support which is systematic only to a very limited extent. He expresses his increasing feeling of uneasiness with lack of empirical research on administrative ethics. He therefore canvasses a serious attention for empirical research in public administration if the subject is to continue to receive significant attention from both practitioners and scholars.¹⁰ This study hopes to contribute its widow's mite in redressing this imbalance.

1.5 Methodology

A field investigation of views of senior bureaucrats in the Federal Civil Service on issues that promise solid and abiding insights into the nature of administrative ethics in Nigeria. A legitimate query at this juncture is why we have restricted our subjects to the top hierarchy of the civil service or the category that

¹⁰ See John Rohr (1990) 'Ethics in Public Administration: A State-of-the Discipline Report' Lynn, Naomi B and Wildavsky, Aaron (eds) *Public Administration: The State of the Discipline* Chatham, N.J. pp.102-103

is known as the 'higher civil service'. Leslie Chapman defines the higher civil service as the powerful group that comes between the middle and the top most grades'. Within the British context (along which the Nigerian civil service is patterned), this block is largely made up of the administrative class and is responsible for information and opinions going upwards to Permanent secretaries and Ministers and for direction and management going downwards to the remainder of the civil service. This layer of the civil service is significant and strategic because

Between them they control nearly all the day-to-day conduct of affairs and a large part of such influence on policy as is had by the Civil Service. When the media and the politicians foam at the mouth with baffled rage and fury over the incompetence of civil servants or their obstruction of policies, they are normally the people they are talking about. If there are to be changes in the Civil Service, more particularly of a kind which will increase efficiency and reduce waste, this is the place where the changes need to be made first.¹¹

Stuart MacRae and Douglas Pitt think along the same line. They aver that typically, criticism has often been directed not so much at the civil service as a whole but at the relatively small group of civil servants who occupy key posts

¹¹ Leslie Chapman (1978) *Your Disobedient Servant* London; Chatto and Windus p.127.

within it. They draw an analogy that when a ship hits a rock, it is the captain and not the cabinboy that must take ultimate responsibility. In bureaucratic organisations, overall responsibility increases the further up the hierarchy you proceed. The Administrative class is in a key position of eminence and power within the civil service and consequently any faults noticed by the public and critics may rightly be placed at the door of this group.¹²

1.5.1 Methods of Data Gathering and Data Analysis

The research is tackled from two fronts. On one hand, it is library based. In so doing, we extensively review the existing literature related to the work. Not only that, a comprehensive archival and documentary search is undertaken. We however move beyond this and went to the field. The study investigates the views of top level executive on ethical issues in the civil service, because, the conduct of public affairs 'is very often a matter of the judgement and discretion of senior civil servants'.¹³

This is done via administration of questionnaire as well as supplement same

¹² Stuart MacRae and Douglas Pitt (1980) *Public Administration: An Introduction* London; Pitman Publishing Ltd p. 85

¹³ Wright, *op. cit* p. 3

with interviews. Notwithstanding the shortcomings associated with convenience samples, this method of sample design is adopted in this study. Chava Frankfort-Nachmias and David Nachmias have poignantly rationalised the adoption of a non-probability sampling and their submission vividly captures the context of this study:

Although accurate estimates of the population's parameters can be made only with probability samples, social scientists do employ non-probability samples. The major reasons for this practice are convenience and economy, which, under certain circumstances (e.g. exploratory research), may outweigh the advantages of using probability sampling. Non-probability samples are also used when a sampling population cannot be precisely defined and when list of the sampling population is unavailable.¹⁴

On returning from the field, we process and analyse our data using appropriate descriptive and inferential statistical tools like percentiles, mean, median and mode.

1.6 Scope

¹⁴ Chava Frankfort-Nachmias and David Nachmias (1992) *Research Methods in the Social Sciences* London; Edward Arnold 4th Edition p. 175.

At independence, Nigeria inherited a vibrant and effective civil service that paid serious attention to the good conduct of its officials. The decay in the conduct of civil servants initially became noticeable in the period immediately following the civil war. It first manifested in general laxity followed by extortion and then financial mismanagement. In his opening address at the 22nd Annual Conference of Civil Service Commissions in the Federation in 1984, the then Minister of Federal Capital Territory agreed that up to the end of the first decade after independence, the Nigerian civil service was as efficient as the erstwhile colonial civil service which preceded it. Subsequently, he asserted, it lost its efficiency and dedication.

Beginning from the end of the civil war therefore, the fortunes of the Nigerian civil service took a downward turn. Sadly enough, due to a lack of serious efforts to arrest the situation and/or absence of sustained interest in the flashes of effort to sanitize the conduct of civil servants coupled with application of technically ineffective remedial measures, the degeneration escalated by the day. By 1997 the decay had risen to such a proportion that Nigerian civil service has become a pariah in the perception of people who have official engagements with it. In the main therefore, the temporal scope of the study is the period beginning

from 1970 but with emphasis on the period 1985 and 1997.

1.7 Study Outline

The study has seven chapters with a breakdown as follows:

CHAPTER ONE: INTRODUCTION

This chapter introduces the work. The problem, aims, objectives, justification of study, methodology and scope are clearly specified.

CHAPTER TWO: ADMINISTRATIVE ETHICS: A THEORETICAL EXPLORATION

This chapter is the theoretical bedrock of the study. The chapter embodies an in-depth examination of administrative ethics, its meaning, relevance, significance and theoretical postulations on the subject.

CHAPTER THREE: ETHICAL MILESTONES IN THE NIGERIAN CIVIL SERVICE

The chapter focuses on the history of the Nigerian civil service. The various attempts to overhaul it is examined in order to highlight the abiding problem of efficiency.

CHAPTER FOUR: INSTITUTIONAL FOUNDATION FOR PROFESSIONAL

CONDUCT IN NIGERIAN CIVIL SERVICE

This chapter looks at various legislations and structures in existence and steps taken so far to sensitize civil servants to adequate ethical conduct. Here, we examine contents of legislations like Public Complaints Commission Decree No 35 of 1975, the Corrupt Practices Decree No 38 of 1975, the Code of conduct Bureau and Tribunal Decree No 1 of 1989 and the relevant provisions of others like the Civil Service Rules, Civil Service Handbook and the 1988 Civil Service Reforms.

CHAPTER FIVE: ENVIRONMENT OF BUREAUCRATIC MORALITY: THE STATE POLITICAL PROCESS AND THE CONDUCT OF PUBLIC ADMINISTRATION IN NIGERIA

The focus of this chapter is the impact of the environment on the complexion of bureaucratic morality in Nigeria. The chapter situates the conduct of civil servants within the framework of the Nigerian political economy. This enhances our appreciation of issues at stake since civil bureaucracy does not exist in a vacuum.

CHAPTER SIX: DATA ANALYSIS AND DISCUSSION ON FINDINGS

This chapter embodies the empirical aspect of the work. We analyse our data from the field, with the application of appropriate statistical tools. Deductions are also made on the results obtained.

CHAPTER SEVEN: CONCLUSION

This serves as a postscript to the study. We summarise the findings of the study and offer policy recommendations.

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CHAPTER TWO

ADMINISTRATIVE ETHICS: A THEORETICAL EXPLORATION

2.1 On Administrative Ethics

Michael Davis¹ defines ethics as consisting of those standards of conduct that, all things considered, every member of a particular group wants every other to follow even if their following them would mean he too has to follow them. Acting ethically is acting according to the appropriate ethical standard. Ethics is related to but distinct from morality. Relating the two, David points out that morality consists of those standards of conduct everyone (every rational person) wants every other to follow even if everyone else's following them would mean he had to follow them too. On the other hand, ethics (the ethics of a particular group) consists of those morally-permissible standards of conduct each member of a group wants every other to follow even if their following them would mean he or she had to follow them too. Impliedly, ethics is 'special morality'.

This distinction can be illustrated in the following way. We all agree about certain rules of conduct. For instance, the rule against murder seems to be the common property of everyone- or at least of all those not plainly too young, too feeble-minded or too ill mentally to count as rational. These universal ethical standards might be called morality while we reserve the word 'ethics' for those morally-permitted standards that apply only

¹ Michael Davis (1990) 'Who can Teach Workplace Ethics?' *Teaching Philosophy* Vol 13 No 1 p.36

to particular groups. Thus, morality applies to "everyone" but Catholic ethics applies to the Catholic, business ethics only to those engaged in business, legal ethics only to lawyers, etc. Membership in an ethical group is not arbitrary. An ethical group is defined by the practice everyone in the group wants everyone else to follow. For as long as people are rational, they will want to include in the practice in question everyone whose participation would be beneficial. A similar logic informs the universality of moral rules.

It is important to make a clarification at this juncture. Ethics can be viewed from at least two perspectives. It can refer to the academic discipline dealing with what is right or wrong or with moral duty and obligation. Alternatively it can connote the principles of conduct governing an individual or a profession or standards of behaviour. The latter is the sense in which we use the word in this study.

Building on the foregoing, professional ethics can be conceptualized as special (morally permissible) standards of conduct governing members of a particular profession because they are members of that profession. Seen in this light, professional ethics is variegated. Engineering ethics applies to engineers; legal ethics to lawyers, medical ethics to physicians, etc. Institutional ethics, though similar, are still distinct. Institutional ethics are special standards of conduct governing all those connected in a certain way with a particular institution because they are so connected.

Professional ethics are special standards. Accordingly, they are more than mere ordinary morality or common sense. Like other standards (e.g. law) they cannot be

learned in most families, religious institutions, or primary or secondary schools. On a general note, they must be taught as part of a formal professional education or learned in some less formal way on the job (e.g. by copying what others do in a workplace). A focus on ethics is significant because it contributes to the clarification and the resolution of practical moral problems by raising issues and by motivating and informing citizens and professionals, and by providing the conceptual apparatus needed to think and talk sensibly about practical moral matters.²

Administrative ethics has been defined by Dennis F. Thompson as involving 'the application of moral principles to the conduct of officials in organizations'.³ For Gregory D. Foster,⁴ moral behaviour refers to the 'willingness to make difficult decisions concerning right and wrong in situation involving fundamental value conflicts'. According to Richard A. Chapman, ethics in civil service 'is about the application of moral standards in the course of official works'. His addendum further clarifies the meaning of the concept. He asserts that 'The practical dimension of the topic is that area of official conduct and actions where civil servants are not simply carrying out specific

² Leo Groarke (1996) 'Seven Principles for Better Practical Ethics' *Teaching Philosophy* Vol 19 No 4 p. 338.

³ Dennis F. Thompson (1985) 'The Possibility of Administrative Ethics' *Public Administration Review* Sep/Oct. p. 555.

⁴ Gregory D. Foster (1981) 'Law, Morality, and the Public Servant' *Public Administration Review* Jan/Feb p. 29.

instructions or order from higher authority but are making value judgements that have implications for their professional standing'.⁵ Chapman, is quick to point out that the judgement of civil servants do not all have an ethical element, but the number which do is a matter of increasing concern. The attempt to define administrative ethics within the British context has also led to the attempt to distinguish between 'actions' and 'conduct'. According to the *First Report From the Treasury and Civil Service Committee, Session 1986-87*, 'actions' are those activities of civil servants which are carried out on the instructions of or are consistent with the policies of the minister concerned. On the other hand, 'conduct' is defined as activities which fall outside that definition and may amount to 'misconduct'.

Thompson further contends that administrative ethics is a species of political ethics, which applies moral principles to political life more generally. He identifies two things which moral principles specify. These are the rights and duties that individuals should respect when they act in ways that seriously affect the well-being of other individuals and society, as well as the conditions that collective practices and policies should satisfy when they similarly affect the well-being of individuals and society.

Elaborating further, Thompson submits that moral principles require a disinterested perspective. Rather than asking how an action or policy serves the interest

⁵ Richard A. Chapman (1988) *Ethics in the British Civil Service* London; Routledge p. 294

of some particular individual or group, morality asks whether the action or policy serves everyone's interest, or whether it could be accepted by anyone who did not know his or her particular circumstances, such as race, social class, or nationality. Moral judgements presuppose the possibility of a person to make the judgement and a person or group of persons to be judged.

Central to administrative ethics are 'attitudes, standards, systems of values which have been internalized in (civil) servants'.⁶ The foundation of administrative ethics is the belief that 'what public officials and employees do has a central and inescapable normative component, involving values, morality and ethics'.⁷

In a more recent essay, Thompson distinguishes between personal morality and political ethics. According to him, the two are quite different both in their origins and in their purpose. Personal morality has its origins in face-to-face relations among individuals, and it aims to make people morally better. Political ethics has more modest aims. It arises from the need to set standards for impersonal relations among people who may never meet, and it seeks only to make public policy better by making public officials more accountable.

⁶ Susan Wakefield (1976) 'Ethics and the Public Service: A Case for Individual Responsibility' *Public Administration Review* Nov/Dec p. 663

⁷ York Wilbern (1984) 'Types and Levels of Public Morality' *Public Administration Review* March/April p. 102

Thompson goes ahead to cite some instances. Some conduct that may be wrong in personal ethics (for example, certain sexual practices) is usually ignored by political ethics, and some conduct that is praiseworthy in personal ethics (returning a favour, or giving preference to a good friend) may violate the principles of political ethics. Also many of the problems of political ethics (such as the issue of post-employment restrictions) do not arise at all in private life, and others (such as conflict of interest) do not arise in the same form or to the same degree.⁸

There is a caveat to this distinction however. The line separating the two are quite thin. For instance, some kinds of otherwise private immorality may indirectly affect an official's capacity to do a job.

Nicholas Henry⁹ identifies three developments which were instrumental to the emergence of administrative ethics. The first was the abandonment of the politics/administration dichotomy. When this bifurcation was eliminated and politics and administration came to be recognized as intertwined, it was also admitted implicitly that morality has to be relevant to the bureaucracy. Ethical considerations entered into the decision-making process of bureaucrats. The second development was the new role of

⁸ Dennis F. Thompson (1992) 'Paradoxes of Government Ethics' *Public Administration Review* May/June p. 263

⁹ Nicholas Henry (1980) *Public Administration and Public Affairs* New Jersey; Prentice-Hall pp. 132 ff

decision-making theory in public administration. The pressures of policies and hierarchy forced moral issues up to the highest appropriate policy-making levels in legislatures and bureaucracies. The third development was the emergence in America of the 'counterculture'. The term 'counterculture' connotes the body of literature that criticizes the American administrative state as being inhumane, technocratic, impersonal and faceless. The counterculture's critique of the public bureaucracy is quite fundamental. It states that the typical public administrator is not immoral but amoral - that is, he has been so seduced in this thinking by the values, pressures, and propaganda of the technocratic state that he no longer is capable of comprehending what morality is or is not. Thus, even if he wanted to do the 'right' thing - indeed, even if he thought that he was doing the right thing - he neither would be able to make the proper moral decisions nor recognized it should he happen to stumble on it.

But why is bureaucratic morality significant? A number of convincing positions have been advanced. John Rohr argues that, through the extensive discretion that bureaucrats necessarily enjoy in a modern administrative state, they can be said to share in the governing process. To the extent that bureaucrats govern in a democratic polity, they should somehow reflect the values of the people they govern. This is an ethical question.¹⁰ Gregory D. Foster quotes Frederick C. Mosher as contending that

¹⁰ See John Rohr (1976) 'The Study of Ethics in P.A. Curriculum' *Public Administration Review* July/Aug p. 399

the harder and infinitely more important issue of administrative morality today attends the reaching of decisions on questions of public policy which involve competitions in loyalty and perspective between broad goals of the polity (the phantom public interest) and the narrow goals of a group, bureau, clientele or union... The danger is that the developments in the public service of the mid-century decades may be subtly gradually, but profoundly moving the weight toward the partial, the corporate, the professional perspective and away from that of the general interest.¹¹

In the same vein O.P. Dwivedi forcefully submits that the profession of civil service has no parallel among other professions (excepting the priesthood) in the sense that society expects civil servants to act with unwavering integrity, absolute impartiality, and complete devotion both to the public interest and to the state. This is the basic and fundamental precept upon which various standards and requisites of performance for civil servants have been built. For instance, standards of conduct, in general, require the showing of respect, fairness, and justice by officials in their contacts with the public. These common standards also prohibit the use of public office for private gain, for improperly giving preferential treatment or for disclosing confidential government information so as to give an advantage to any external group or person. Performance requirements are wide-ranging and may include such values as 'objectivity, effectiveness,

¹¹ Gregory D. Foster (1981) 'Law, Morality, and the Public Servant' *Public Administration Review* Jan/Feb p. 33

impartiality, integrity and probity in the conduct of public affairs within the context of maintaining a professional public service dedicated to achieving a high standard of efficiency and competence.¹²

C.A. Baker discusses what we can conveniently describe as the utility of administrative ethics. According to him, a discussion of ethics in the civil service is not merely theoretical but has clear practical implications. The logic is that modern government depends increasingly upon the acceptability of those who govern to those who are governed; administration is smoother and more efficient if the people have confidence in the administrators. The greater majority of people find it easier to accept and to place their confidence in practical men of high moral calibre. He submits that where 'confidence and acceptability are scarce resources, and where lack of honesty is an impediment to development, it becomes important to discuss improvements in confidence, acceptability and honesty, for utilitarian, and not merely philosophical reasons'.¹³

Administrative ethics is comprehensive in scope. John Rohr asserts that disparate topics are loosely confederated under the rubric of ethics and further that administrative

¹² O.P. Dwivedi (1988) 'Bureaucratic Morality: Concluding Comments' *International Political Science Review* Vol 9 No 3 p. 233

¹³ C.A. Baker (1971) 'Trusteeship and the Civil Servant' *The Quarterly Journal of Administration* Vol V No 4 p. 397

ethics has an impressive range of topics.¹⁴ Willa Bruce gives an insight into the scope of administrative ethics in her submission that 'At one level are the day-to-day operational questions for which the typical practitioner just wants an answer. At another level are the perennial philosophical questions that scholars through the centuries have agonized over. No agreed-upon vision of public administration ethics seems to exist, and few if any answers are forthcoming'.¹⁵ This point dovetails into the impact of the environment on administrative ethics. The two - scope of, and milieu of administrative ethics are intertwined. Dunsire avers that:

The resonance of the phrase 'bureaucratic morality' is that we are to deal with corruption among officials. That in turn usually means bribery and extortion, plus nepotism. But I should like to suggest that (a) 'morality' covers a lot more than bribery, extortion, and nepotism, and (b) official morals in spheres beyond those of illicit cash-flow and jobs may be just as culture-specific as they are within these spheres. *The content of any culture's 'bureaucratic morals' is exemplified by what typically upsets people about the conduct of their officials...*¹⁶

¹⁴ John Rohr (1991) 'Ethical Issues in French Public Administration: A Comparative Study' *Public Administration Review* Vol 51 No 4 p. 293

¹⁵ Willa Bruce (1995) 'Ideals and Conventions: Ethics for Public Administrators' *Public Administration Review* Jan/Feb Vol 55 No 1 p. 112

¹⁶ Andrew Dunsire (1988) 'Bureaucratic Morality in the United Kingdom' *International Political Science Review* Vol 9 No 3 p. 179.

This is why Richard A. Chapman believes that administrative ethics 'refers to moral standards in official work within the context of a specific political environment'. Rohr also contends that administrative systems cannot be divorced from national histories and, *ipso facto*, administrative ethical standards are necessarily grounded in these specific administrative systems. Thus in the US the most salient ethical issues are conflict of interest, the political activities of civil servants and the requirement of an oath of office. Andrew Dunsire lists those in the United Kingdom as bureaucratic discipline, bureaucratic trust, bureaucratic fairness and bureaucratic professional honour. For O.P. Dwivedi and R.B. Jain, The Indian Civil Service is characterised by excessive self importance, indifference towards the feelings or the convenience of individuals and by an obsession with the binding and inflexible authority of departmental decisions, precedents, arrangements or forms, regardless of how badly or with what injustice they work in individual cases. Additionally, the civil service has a mania for regulations and formal procedures, a preoccupation with activities of particular units of administration and an inability to consider the government as a whole. The Indian civil servant also fails to recognize the relationship between the governors and the governed as an essential part of the democratic process.

Another of the most undesirable characteristics of bureaucracy in India is that administration is treated as a secret, even an esoteric, process. There is no appreciation of the citizen's viewpoint, and exercises in public relations are aimed more at publicity

and propaganda than at establishing rapport with the community or making genuine attempts to involve the public.¹⁷ As Dele Olowu suggests, bureaucratic norms which have been undermined in Africa cluster around four major issues namely:

- (a) a self-interested rather than impersonal service including favoritism to special groups and primordial loyalties as well as other conflict-of-interest situations.
- (b) politicization of the bureaucracy - with nepotism, ethnic balancing and political loyalty displacing merit as defined by academic and professional qualifications
- (c) conversion of state property to party or personal use and
- (d) overall slackness and laxity in public service organizations and operations.¹⁸

Administrative ethics is not without some opposition. As pointed out by Thompson, the most general challenge to administrative ethics would be to deny its possibility. The more direct challenge to administrative ethics is from those who admit that morality is perfectly possible in private life but deny that it is possible in organisational life. This challenge states that by its very nature administration precludes the exercise of moral judgement. The argument bifurcates - the first calls into question

¹⁷ O.P. Dwived and R.B. Jain (1988) 'Bureaucratic Morality in India' *International Political Science Review* Vol 9 No 3 p. 268

¹⁸ Dele Olowu (1988) 'Bureaucratic Morality in Africa' *International Political Science Review* Vol 9 No 3 p. 218

the subject of judgement (who may judge); the second, the object of judgement (who is judged). The first asserts that administrators should act neutrally in the sense that they should follow not their own moral principles but the decisions and policies of the organisation. This is the ethic of neutrality. The second asserts that not administrators but the organisations (and its formal officers) should be held responsible for its decisions and policies. This is the ethic of structure. Each is called an ethic since it expresses certain norm and prescribes conduct. However neither constitutes an ethic or a morality because each denies one of the presuppositions of moral judgement - either a person to judge or a person to be judged.

Thompson has ably argued against these two ethics and dismissed them. The conventional theory and practice of administrative ethics holds that administrators should carry out the orders of their superiors and the policies of the agency. In this vein, administrators are ethically neutral in the sense that they do not exercise independent moral judgement. They should not act on any moral principles of their own, but are to give effect to whatever principles are reflected in the order and policies they are charged with implementing. This ethic portrays the ideal bureaucrat as a completely reliable instrument of the goals of the organization, never injecting personal values into the process of furthering these goals. The major weakness of this ethic lies in its underestimating the discretion that administrators exercise, thereby impeding the accountability of administrators by citizens. Thus, by reinforcing the illusion that administrators do not

exercise independent moral judgement, it insulates them from external accountability for the consequence of many of their decisions. On a final note, Thompson concludes that:

Administrative ethics is possible - at least, the two major theoretical views that oppose its possibility are not compelling. We are forced to accept neither an ethic of neutrality that would suppress independent moral judgement, nor an ethic of structure that would ignore individual moral agency in organization... understanding why administrative ethics is possible is a necessary step not only towards putting it into practice but also towards giving it meaningful content in practice.¹⁹

Stemming from the comprehensive scope and contextual nature of administrative ethics, it stands to reason that there will be many taxonomies of bureaucratic morality. York Wilbern²⁰ rightly observes that 'classification is difficult in this area not only because of the overlapping of the concepts and the activities, but because of the ambiguities of the word used to describe them'. He goes ahead to suggest six types or levels of morality for public officials generally, with increasing degrees of complexity and subtlety. They are (1) basic honesty and conformity to law; (2) conflicts of interest; (3) service orientation and procedural fairness; (4) the ethic of democratic responsibility; (5) the ethic of public policy determination; and (6) the ethic of compromise and social integration.

¹⁹ Thompson (1985) *op cit* p. 560

²⁰ Wilbern (1984) *op cit*

The first level expects the civil servant to be morally bound, just as are other persons, to tell the truth, to keep promises, to respect the person and property of others, and to abide by the requirements of the law. The second level requires that it is the moral duty of an official of a unit of government to pursue the 'public interest' - i.e. the needs and welfare of the general body of citizens of the unit. His own interests, as well as the interests of partial publics of which he may be a member, are to be subordinated if they differ from the broader, more general, public interest - as they almost inevitably will, from time to time.

The premise of the third level is that attitudes and the tone and flavour of official behaviour are morally significant. Where power is being exercised, arrogance can easily replace humility, and the convenience of the official becomes more important than the convenience of the client. Delay and secrecy can become the norm. The effort to make available some degree of protection for the clients against the potential arrogance of officials is one of the reasons why procedural fairness is one of the central components of public morality. These first three levels deal with the conduct of public officials as they go about their business. The next three deal with the content of what they do. In other words, the first set deals with 'collateral morality' and the latter with 'intrinsic morality'.

The ethic of democratic responsibility stipulates that the civil servant is ethically bound to carry out the instructions of elected representatives of the people. The career

officials are supposed to carry out policies of the ruling party because that is what the people want. For public employees to substitute their own judgements as to what the people want for the judgement of those who have the electoral or political mandate is unethical, according to this logic. As a matter of course, they may advise to the contrary, but they are to carry out the instructions of their political superiors to the best of their ability.

Two issues are embedded within the ethic of public policy determination - the benefit-cost calculation and the distributional problem (who gains and who loses). Making good benefit-cost calculations may be more a matter of wisdom (either analytical or intuitive) than of morality, but normative consideration in choosing factors to consider, and assigning a weight to them, are inescapable. On the other hand, ethical considerations are particularly salient in determinations about distribution of benefits and burdens in a public activity or decision. The problems here are those of equality and justice.

The sixth level - ethic of compromise and social integration recognises the plural nature of understanding 'principles'. It therefore canvasses the need for compromises among official actors in order to avert stalemate and the ensuing conflict. Civil servants are morally obliged to participate in and support arrangements that will lead to resolution of differences in the course of discharging their official duties.

Dunsire proposes a hierarchy of expectations of good conduct; a hierarchy in the

same sense as Maslow's 'hierarchy of needs' meaning that we would expect the lower to be met before we went on to consider whether the higher were or should be met. Another feature of his model is that on each level, it is assumed that there is lateral dimension, divided by a mid-point ('duty') into negative (ought not to) and positive (ought to) expectations, the dimension being marked in each direction by a zone of latitude beyond which lies, on the negative side, conduct 'in clear breach of duty' and, on the positive side conduct 'beyond the call of duty'. The levels, from the base are bureaucratic discipline, bureaucratic trust, bureaucratic fairness and bureaucratic professional honour.

The lowest level, bureaucratic discipline, holds that if officials are (for instance) employed to staff an office counter they should be there during office hours, not absent for their own purposes, without leave. Of course, laziness, carelessness and desultoriness are faults wherever they are found, but are perhaps particularly blameworthy when they appear in servants of the public. Reasonably good time-keeping, respect for office rule of all kinds, diligence, attentiveness, assiduity, and so on, are more positively expressed requirements within the understanding of bureaucratic duty. This is the most basic level of bureaucratic morality and it requires discipline, internalized ('self-discipline') and not merely imposed.

The next are expectations about honesty, probity and rectitude. Public employees, more than others, should have clean hands, and do nothing that cannot stand up to

investigation thereafter. Stealing from the public purse is especially stigmatized; as is malversation of office in other ways, such as improper use of influence in appointments or contracts, or misappropriation of equipment for personal use. This is the classical area of "bureaucratic corruption" embracing extortion, bribery, nepotism and the other standard weberian crimes. However, expectations about bureaucratic morality at this level extend beyond prohibitions. The duty of care for the public purse would further admonish a positive search for economies, or 'value-for-money', just as a case of 'merit' appointments urges not only avoiding nepotism but actively undertaking a search for the best available people to hold public office. Bureaucratic office in this regard is held in trust, including fiduciary trust and this is the source of the label for this level of bureaucratic morality.

The next level requires 'doing right' or doing justice. Weber canvassed 'impersonality' or disinterestedness; the ability to subjugate self, to take detached view, to be unbiased, objective, impartial, etc. But these are all rather negative expressions; 'doing right' requires something more positive, looking for both of any case, going out of one's way to find counter indications, so that one can come to an equitable judgement. This expectation may seem clearest for judges, but of course there are hundreds of public servants who must exercise similar discretionary authority. The element of it is present in all decision-making but the duty of due consideration is heavier in public decision-making because the weight of the state is behind every choice. There is a moral

obligation (and even in some cases, a legal one) on public servants to come to proper decisions in this sense, not merely to take a detached view. Civil servants are expected not to be detached or distant, but to be courteous, helpful, and open about it.

The fourth level, bureaucratic professional honour, has both negative and positive aspects. The negative aspect is the duty to obey and not obstruct political master. The positive aspects are however much more significant. It imposes an obligation on officials to be resourceful and imaginative in the deployment of their knowledge, skills and energies in not only obeying the instructions of their political masters but accepting the nearest hints of these instructions and developing them, making them workable, suggesting superior methods, even superior objectives; and finally, 'learning the mind of the Minister' (or other elected officeholder) to such a degree that the Minister's wishes can be carried out even where the minister has expressed none and is not aware of the case. Dunsire however does not suggest the basis for labelling the two aspects 'negative' and 'positive'.

One crucial issue that does not escape Dunsire's analysis is the nature or the relationship (if any) between these levels of bureaucratic morality and the levels of the bureaucratic rank hierarchy. His response is insightful and convincing:

My suggestion is that all four levels of obligation apply at all rank levels; those at the base of the pyramid of rank have no more of a dispensation from 'bureaucratic honour'

than do top people from the requirements of 'discipline'. But the forms and the incidence differ. Perhaps the duties of those at the lowest ranks are least often likely to rouse serious question of 'honour' or professional loyalty, as it is understood here; rather discipline is more often relevant. Similarly, trust and fairness are not only applicable in the intermediate ranks, but are particularly relevant at the levels where most actual cash is handled, where individual cases are determined, and so on. By the same token it is at the top levels, those most in contact with political representatives, where the greatest virtue in professional honour is needed.²¹

This taxonomy adequately captures the spectrum of administrative ethics in Nigeria and is therefore adopted later in the study to analyse the conduct of Nigerian civil servants. This is hardly surprising given the British source of this framework of analysis on one hand and the origin of the Nigerian civil service which is a legacy of British colonial rule on the other.

David Hart identifies four duties the public administrator must assume to attain the status of 'honourable bureaucrat'. These are moral significance, caring, moral entrepreneurship and what he calls 'noblesse oblige'.²² According to him 'The primary criterion for any public policy is its moral worth, and all other considerations, whether economic or administrative, must follow from that'. Stemming from this premise, the

²¹ Dunsire, *op.cit* p. 181

²² David Hart (1984) 'The Virtuous Citizen, the Honourable Bureaucrat, and Public Administration' *Public Administration Review* March pp 117-118

fundamental professional responsibility of the honourable bureaucrat is to have a complete understanding of and belief in values. Secondly, it is essential that honourable bureaucrats care for the individuals who constitute the public they serve. At the same time, the public must believe that the bureaucracy cares for them. No doubt, it is extremely difficult to care for the many, but its difficulty is no excuse for not attempting it.

The expectation of moral entrepreneurship requires bureaucrats to always attempt to reduce the number of rules, laws, and compulsions upon citizens through trust. As the position goes, the public must always be treated as virtuous citizens who can be depended upon to honour their commitments. Hart is however quick to remark that this requirement is too idealistic. Finally, the honourable bureaucrat must believe in noblesse oblige which essentially means that the more one is benefited in a society, the more one is obligated to benefit the society. It is in the acceptance of noblesse oblige that effective reform and progress is built into the political system.

For C.A. Baker, the state has three main ways in which it guides or directs civil servants in the ethical aspects of their conduct: through the legislature and the courts; through public service regulations and ministry circulars; and through codes of conduct.²³ He expatiates. The legislature and the courts - which are the law-forming

²³ Baker, *op cit* pp 397-399

bodies - especially in the creation and development of the criminal law, lay down specific rules of conduct, which are usually expressed in the negative, 'thou shalt not', form and do not often enunciate positive rules of conduct. Some of these laws apply only to the Public Service - for example, theft by public servant, official corruption and abuse of office - and some stipulate penalties which are considerably more severe in the case of the civil servant than in the case of an ordinary citizen. Also, in the field of tort, the courts place civil servants in a special position: one of the three grounds upon which exemplary damages - compensation over and above the material loss suffered - may be awarded is for oppressive, arbitrary or unconstitutional action by servants of the government.

Secondly, the governments of most countries have civil service regulations which set out in considerable detail 'offences' which civil servants are expected to avoid. Some of these regulations are more matters of professional etiquette than of ethics - e.g. those dealing with inefficiency, pecuniary embarrassment, and writing articles for journals. But, nonetheless, many are of a moral nature: using official information for personal gain, misuse of public money, bribery and extortion. In the same vein, departmental circulars from time to time deal with ethical aspects of a civil servant's behaviour.

Finally, the civil services of a number of countries have drawn up a code of ethics in an attempt to fill some of the gaps which are not covered by laws, regulations and circulars. The codes are often very brief documents, and this is an advantage in itself

because it means that they are readily available to all civil servants and can, if necessary or desired, be learned by heart.

According to Willa Bruce, the most prevalent way to ensure ethical conduct in public service seems to be a professional code of ethics or a legislated code of conduct. Even though some have argued that codes have limited utility, they are nevertheless deemed valuable because 'they offer objectivity, represent community values, and embody the belief that courageous behaviour can be codified'.²⁴ Codes however have some fundamental shortcomings. One general defect of codes, according to Baker, is that they normally cover specific rules, and it is not at all difficult to act unethically and yet not in accordance with the specific provisions of all but the longest and most exhaustive and comprehensive of codes. They therefore need to be supported by a general guide to ethical conduct in the civil service, not as a substitute for the code but as a background against which the code may be used. To be useful, the general guide need to express broad principles so that an individual civil servant may have some way in which he can decide what he ought to do when he is confronted with a new or doubtful situation, and some way in which he can measure proposed action against ethical ideals.

Wakefield also has some reservations on the use of codes of ethics. Firstly, the roles of public servants are too diverse and varied to allow one code applicable to all to

²⁴ Bruce, *op cit* p 113

serve any purpose. Secondly, she agrees with the view that codes of ethics are 'so general as to be useless or specific as to be unworkable'. Thirdly, codes are composed primarily of 'don'ts' and set negative standards for behaviour. Many capable, intelligent, and honest people have been offended by such negative prescriptions. Lastly, it is argued that codes tend to be universalistic; they set outer boundaries for behaviour. She concludes that even though codes of ethics are widely discussed, they offer little promise as effective supports of ethical behaviour²⁵.

Richard Chapman also argues that codes appear to be little more than lists of common sense maxims, or rules and procedures that most managers already bear in mind because they are good general rules. He however, recognises their utility. He contends that even though codes have limited uses, these uses are not unimportant. For example, they can be valuable as teaching aids and as guides to individuals who are facing ethical dilemmas. He even suggests a way to strengthen codes of ethics and make their impact more significant. This is by appointing an independent official or body, something akin to an ombudsman, with power to look into individual difficulties, to offer advice to individuals and to issue case reports to chief executives of ministries and an annual report to, say, a legislative committee²⁶

²⁵ Wakefield, *op cit* p. 663

²⁶ Chapman, *op cit* pp 303-304

Building on his model of bureaucratic morality, Dunsire proposes another 'ascending-systems' model to deal with transgressions of administrative ethics. Control within a bureaucracy (supervision, or managerial control) will take care of discipline; control through other bureaucracies or cross-cutting agencies (functional' or procedural control) for trust; and for fairness, control through extra-bureaucratic agencies (social or political control). The fourth level should be super-societal or has to do with international control. These prescriptions are not explicit enough.

Overall, sanctions for professional misconduct are of two kinds.²⁷ Sanctions of a formal kind include disciplinary action such as reprimand or dismissal, and even occasionally civil or criminal prosecutions. These are effective more as a deterrent to professional misconduct than as a practical means of dealing with it. Even then they may have only a limited application. Informal sanctions however are much more important and more commonly respected on issues which relate to professional conduct. The logic is straight forward: a reputation for unreliability or indiscriminate may inhibit promotion and career prospects. Thus, knowing where the 'line' is and when he is approaching it is the hall-mark of the successful senior civil servant. Robert N. Roberts and Marion T. Doss share this position. They also contend that 'although external controls on public servants play an important role in protecting public trust in

²⁷ Maurice Wright (1973) 'The Professional Conduct of Civil Servants' *Public Administration* Vol 51 Spring p. 5

government, ethics in government threatens to become simply a process of complying with legalistic rules and regulations when those external controls are regarded as the primary tool for maintaining ethics. This overuse of external controls diminishes the role of individual responsibility and good judgement in protecting public confidence in the integrity of public institutions'.²⁸

Chapman also emphasises the role of informal safeguards which he argues remain of considerable importance and are conveyed mostly by post-entry training and socialisation into the administrative culture. The importance of informal safeguards lies in developing in individuals the values and beliefs that contribute to the set of patterns and guidelines for behaviour that are so important in the administrative culture of the civil service.²⁹

²⁸ Robert N. Roberts and Marion T. Doss (1992) 'Public Service and Private Hospitality: A Case Study in Federal Conflict-of-Interest Reform' *Public Administration Review* May/June Vol 52 No 3, p. 261.

²⁹ Chapman, *op cit* p.306

2.2 Theoretical Framework: Weberian Themes and the Value System

Our discussions in the previous section centre on the concept of ethics - its meaning and character. In this section, we move a step ahead by examining the theoretical foundation of the concept. The study finds useful Billy Dudley's³⁰ discussions on 'Weberian themes' and therefore adopts same for our purpose. He paraphrased Weber as saying that a correspondence can be drawn between particular values and given structural relationships, citing the example of authority relations. In this vein, where values are of an 'instrumental' nature, there is a strong likelihood for a given pattern of dominance, which he termed 'rational-legal', a pattern which is characteristic of bureaucratic institutions, to be associated with such values. This schema is then extended into an explanatory model in which values are taken as the 'independent variable' and behaviour patterns and institutional structures are the 'dependent variables'. Broadly speaking, the 'model' specifies that behaviour patterns and institutional structures are to be, or can be, explained in terms of individual and collective values.

Values structure behaviour, because when called upon to explain or justify a particular action, the individual - or group - appeals to certain reasons, the expression of given ends sought. The example that readily comes to mind is the utilitarian answer to the question of political obligation. One obeys the state because the state contributes to

³⁰ Billy Dudley (1982) *An Introduction to Nigerian Government and Politics* London; Macmillan

the greatest happiness of the greatest number. For the community, where behaviour comes patterned and ordered, we could talk of such patterned behaviour as a 'practice' or an 'institution' and 'institutions' which become formalised in terms of procedural rules we could refer to as 'political structures'.

It should however be admitted that values are not uniformly distributed. Even in a fairly homogenous population (homogeneity being defined in terms of attributes like language and a shared common history), there will be found within such a population marginal and sub-marginal groups holding different values and beliefs. Beliefs are those propositions which are generally accepted because they are thought to be true though they need not be so. Similarly, where two individuals share the same values or uphold similar beliefs, it is not inconceivable they might behave differently. Any discussion on values and beliefs therefore has to take cognisance of the way a given society is structured and to examine the behaviour patterns of the different strata.

Values, like beliefs, are not immutable. They change over time or as circumstances change sufficiently to compel a change just as beliefs are given up or changed once they have been shown not to be true, or the material conditions which gave rise to the belief are seen no longer to hold.

Participation in the affairs of any political substructure is undertaken in the light of the values held by the participant. Thus any rewarding discussion of the political affairs of a community must seek to take account of the values held by its members.

These values constitute the general 'mental furniture' which each individual acquires as a member of a given community or group. There is a caveat however. The individual's total mental furniture is not necessarily something which he owes to the community, or that is socially conditioned. There are 'bits' of our mental furniture, like our understanding of formal logic, which may not be due to being members of a community. However those parts of the 'mental furniture' which have to do with interpersonal relations - and thus are involved in the existence of law, politics, ethics, religion, economics, etc are socially conditioned.

That the individual acquires his set of values from being a member of a given community in no way suggests that there could be no incompatibility between the individual's values and those of the community. In the first instance, the individual is not a member of only one community but rather of several communities, some of which may in fact overlap, one with the other. As a result of the language which he speaks, he could be a member of one community, while by residing in a given locality, he could be a member of another. Yet another illustration. As a result of lineage antecedents, A could be a member of one group and because he practices a given form of religion, a member of yet another. In societies with a system of age sets or age grades, because of his age, he could belong to a community or a specific age grade just as, because of his occupation, he could find himself being a member of a particular trade union. The values which he acquires from membership of these different 'communities' need not all be

consistent. Also, as noted earlier on, values can change as the circumstances which gave rise to them change, but the expectation is that values held by the community as a whole, or 'community values' should be less mutable than the individual's.

As a matter of fact, even though the individual's values may be 'socially conditioned', they do not necessarily vary from one community to the other and where differences do occur these could be due to status differentials than to the simple fact of inclusion in a particular community.

Dudley asserts further that the community is conceived of in moral terms, and hence 'dictates' of the community are injunctions which must necessarily be followed unquestioningly, society itself becomes extremely authoritarian. Moreover, while relations within the community are seen as stable and predictable, extra-community relationships are regarded as unpredictable and, all too often, risky. This perception of extra-community relations as risky and uncertain results in the environment generally being taken to be hostile, which in turn leaves the individual with an all-pervading sense of personal insecurity. The reaction to this sense of insecurity takes various forms. In the public service for example, the 'men at the top' have to ensure that immediate subordinates come from the same community - the well - known phenomenon of nepotism - while those at the bottom seek to attach themselves to a 'godfather' who, more often than not, is a kinsman of some kind. Since the 'environment' is perceived as something hostile, hardly anyone believes that success can be a reward for merit and

achievement and success, upward mobility in the bureaucratic hierarchy, has to be explained in some other terms - for example, the existence (or non-existence in the case of failure) of a 'godfather'.

Furthermore, insecurity is guarded against not just by safeguarding the present but also by insuring against the future, which in practice means the use of one's office to enrich one's self, the widespread practice of corruption and abuse of office etc.

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CHAPTER THREE

ETHICAL MILESTONES IN THE NIGERIAN CIVIL SERVICE

3.1 Civil Service Under Colonial Rule

The origin of the Nigerian civil service is not far-fetched. All existing literature point to the same direction. As price has rightly noted, in post-colonial states of Asia and Africa, most institutions of government - legislatures, administrative agencies, government business corporations, universities - are exogenous. In effect they have been introduced into these societies as a consequence of the colonial relationship.¹ A.L. Adu speaks in the same vein when he traces the origin of the civil service in Commonwealth African states to the creation of machinery by Britain to consolidate her colonial administration in her dependent territories in Africa.² In sum, the Nigerian civil service belongs to the category of Peter Ekeh's³ "migrated social structures".

To make our discussion in this chapter more meaningful, it is apposite to start from the general and end up with the more specific. As such, we shall first take a look at the advent of Commonwealth African civil services, a sub-set of which Nigerian civil

¹ Robert M. Price (1975) *Society and Bureaucracy in Contemporary Ghana* Berkeley; Univ. of California Press p. 82

² A.L. Adu (1965) *The Civil Service in New African States* New York; Frederick A. Praeger p. 14

³ Peter Ekeh (1980) *Colonialism and Social Structure* Inaugural lecture delivered at the University of Ibadan.

service is. For Adu, the *raison d'être* of this institution was essentially to prosecute the imperial policies in Africa. Consequently, its orientation and personnel, *ab initio* were suited to this purpose. At the onset, its main task was to pacify the areas which by conquest, cession or treaty, had come within the British sphere of influence. Almost invariably, this entailed compelling or persuading a number of hostile tribal states to live together in peace and consequently having the means to intervene in cases where peace was disturbed. The early civil service therefore was weaned out of military occupations and, in many cases, the pioneer public officers were military personnel drawn from the colonial regiments and occupation forces.

The major pre-occupation of the civil service in these African states in its early stages was expectedly collection of revenue and the maintenance of law and order. For Abernethy,⁴ the colonial civil servant ruled. This is because he not only administered the law but also formulated and interpreted it. In terms of composition, the main core of this service was constituted by the Political Administrative service composed of Provincial and District Commissioner, the Police and, in some cases the Treasury officials. The branches of the service were closely related together functionally. There was no ambiguity as to the chain of command. For instance, District Commissioners or Officers were responsible for the peace, welfare, and good order of their districts or

⁴ David B. Abernathy (1971) 'Bureaucracy and Economic Development in Africa' *The African Review* Vol. 1 No 1

divisions, and supervised and co-ordinated the functions and activities of all local departmental officers including the Police and the Treasury. They liaised with local traditional authorities in maintaining orderly administration. District Commissioners were answerable to their Provincial Commissioners (or Residents as they were designated in some territories) who had general responsibility for, and supervision over, all government and local government activities in their provinces. The hierarchy stretched upward through Chief Commissioners or Regional Governors to the Governor and Commander-in-Chief at the pinnacle. The Governor himself was responsible to the Colonial Secretary in London.

In essence, the civil service was geared towards the regulatory policy of preventing trouble and was not, until the dying days of colonialism, concerned with economic and social development as a major objective of a administration. As such it was in very few instances that the Administration (i.e. civil service) was directly responsible for initiating the promotion of cash crop agricultural developments. Much later, Agriculture Departments were established to give attention to the preservation of the health of cash crops, extension work on better husbandry and greater production, research into all aspects of the industry and the development of new cash crop industries. In the same vein the civil service was not initially directly involved in the development of social services like health and education. The missionaries seized the initiatives in these areas. Nevertheless, Medical and Education Departments were established to

provide some assistance and encouragement to the effort of the missionaries.

For White the first British attempt at an amalgamation of some of the territories within what later became Nigeria was made as early as the 1880's. It was then suggested that all the territories of the Niger districts might be put under the administration of a single chartered company. The aim of this suggestion was to unite British Commercial enterprises on the Niger and oil Rivers. As a result of rivalry among the various firms involved however, the idea was not fruitful.

The final decision on amalgamation was taken in 1911 after the Colonial Office had concluded that the men to carry out the task must be sympathetic towards the type of administration practised in Northern Nigeria. The Secretary of State for colonies at this point in time, Lewis Harcourt found the only man with the requisite energy and exercise in Lugard. As such Lugard was recalled from his governorship in Hongkong in 1912 and appointed Governor of both Nigeria's and was saddled with the task of drawing up a comprehensive plan for their amalgamation. Quite unexpectedly, amalgamation failed to result in the complete unification of the administration or in the fusion of administrative instruments. No doubt, a Governor-General had been appointed who was responsible, for the good government of the whole country, and to the Colonial Office. Nevertheless, after 1914 as before it, and save some departments, Northern and Southern Nigeria retained their separate secretariats and departmental organisations under the control and direction of their respective Lieutenant-Governors. The departments which

were placed under the Lieutenant-Governors were, for both, Medical Public Works, Forestry, Agriculture, Education, Police, and Prisons - and the South also became responsible later for the Marine and Customs' Departments. There was also third and separate secretariat headed by a senior administrative officer styled 'administrator' which was created for the Colony of Lagos.

In order to assist the Governor-General in coordinating the work of common departments which could not be assigned exclusively to one part of Nigeria, a central secretariat headed by a central secretary was set up. These central departments included the Railway (of course), Audit, Treasury, Posts and Telegraphs, Judicial, Legal, and Survey departments. Also retained at the centre were Directors of Medical and Sanitary Services and of Forests and of Railways and Works to superintend departments North and South, 'without interfering with their department organisation.

This arrangement remained till the end of the tenure of Sir Lugard. However in 1916, the office of the administrator of the Colony was abolished and his duties and secretariat were taken over by the Lieutenant Governor of the Southern Provinces.

Nicolson has observed that in the decade before independence in 1960, a transformation of the old officialdom in the Nigerian civil service occurred.⁵ This

⁵ I.F. Nicolson (1965) 'The Structure of Government at the Federal Level' Franklin L. Blitz(ed) *The Politics and Administration of Nigerian Government* London, Sweet and Maxwell p. 72

period witnessed the transformation in the public service, its Nigerianisation, Regionalisation, Northernisation, and the "integration" of the old colonial departments into the ministerial system. Elsewhere, he chose 1948, albeit arbitrarily, as the starting point of the process of transforming alien 'Administocracy' into the apparatus of modern, federal parliamentary government, complete with Nigerian Ministers and 'Nigerianized' career public services.

The verdict on the Nigerian civil service under colonial rule was that it was brutally efficient. It could not have been otherwise, being a 'para-military' outfit in its objectives and operations.

3.2 The First Republic (1960-66)

Many views, perhaps the most audible ones, have been expressed in romanticized tones, exonerating the civil service from the blames of the debacle in the immediate post-independence years. A.A. Ujo⁶ for instance assessed the major actors of this era in terms of integrity and gave credit to the first generation civil servants who, in his words, "were relatively less corrupt than those they preceded". Relying on Luckham, he pointed the accusing fingers for corrupt tendencies in the First Republic at politicians rather than civil servants. A similar view was echoed in an influential magazine of the period that.

⁶ A.A. Ujo (ed) (1990) *Three Decades of the Nigerian Civil Service (1960-1990)* Nigerian Political Science Association

The country has maintained civil services that are for the most part recruited on merit, that are geared to efficiency, standards, and that are largely untouched by crude politics.⁷

Beyond these adulatory comments, however, the balance sheet of the civil service performance in the period under review shows a contrary picture. The truth of the matter was that the administrative blurred with the political and higher civil servants were co-opted by their political executives in the infamous act of misrule that was the First Republic. In a sense therefore, the seed of unethical conduct in the Nigerian civil service was sown in the immediate post-independence period. It however flourished after the civil war. One cannot deny the fact that beginning from the period of self-government in 1957 (1959 in the case of the North), impressive achievements were made in the regions until 1962 when politics of acrimony set in, making its debut in the West and extending to other parts of the country shortly after.

During this short period of effective performance, regional governments were able to execute impressive programmes of social and economic schemes as a result of the monetary reserves accumulated by the Nigerian Produce Marketing Board. The Board was able to accumulate reserves as ample cushion against fluctuations of world prices of cocoa, cotton, groundnuts and palm produce. When Nigeria became a federation in 1954, the produce market system was reorganized and the existing national crop boards were

⁷ *Nigerian Opinion* (1965) Vol 1 No. 8

replaced by regional boards and a central marketing board. As a result, the western, northern and eastern regional governments inherited large sums of money, part of which was utilized in executing schemes of economic and social development.⁸

In concrete terms, the Western Region, under the disciplined leadership of the Action Group government embarked upon large-scale economic programmes, which included road and bridge construction. Additionally, a number of statutory corporations and commercial companies like the Nido Gas, Nigersol, Nigerian Water Resources Development, Nigerian Textile, West African Portland Cement Company, and Asbestos Cement Products were established. Vigorous social welfare programmes, including universal free primary education, hospitals, a television station and the then University of Ife were also pursued. The regional civil service was also expanded thereby creating more jobs for those qualified.

In the Eastern Region, the NCNC - led government also settled down and pursued a moderate programme of economic and social development. A number of statutory boards and commercial companies including printing, tourist, textile, beer and ceramic industries, iron and steel works, asbestos products and a cement factory were established. Also executed were a number of social schemes like the award of scholarships, construction of roads and bridges, hospitals. The University of Nigeria was founded in

⁸ Humphrey N. Nwosu (1977) *Political Authority and the Nigerian Civil Service* Enugu; Fourth Dimension p. 59

1960 and civil service expanded to improve job opportunities. The story was not different in the North. The regional government there too carried out a modest social and economic programme. It expanded facilities for primary education and established the Ahmadu Bello University.

All these remarkable achievements were made possible because of the human and material resources available to the regions. With regard to the human factor, the most able senior civil servants from the unitary service joined the civil services of their own regions when the 1954 Macpherson Constitution was introduced. Thus, many of the ablest Nigerians were lost on promotion to regional civil services from the centre. These people no doubt greatly assisted their regions of origin in this period of rapid development.

However, this era turned out to be short-lived. The reason was that it was not long before venality crept into politics and administration in the country. One thing led to the other and the First Republic collapsed. The series of protracted crisis that engulfed the country started in the Western Region and this justifies our selection here of that case study. The Action Group (AG) was the ruling party in the Western Region in the First Republic. However the unity of purpose that had characterised the political executive and the rank and file of the party in the assembly soon evaporated. A leadership crisis within the party led to the dissolution of the regional assembly and the imposition of a six-month state of emergency by the federal government.

At the end of the state of emergency, Chief Akintola was restored as the Premier even though his government did not have a mandate from the citizens of the region. The political atmosphere in the region became polluted and elections became warfare. Violence resulted and there was a complete breakdown of law and order. This crisis of political leadership definitely had serious consequence for the career civil servants in the region, who had to interact with the political leaders in the policy process. In due course, the political division within the society permeated the leadership of the civil service, producing three broad orientations. In the first group were some officials who identified with the Akintola government and were rewarded with certain advantages in their careers, including rapid promotion and favourable treatment in staff deployment. This tribe of officials was suspected to have partaken in embezzling public funds. The second category of officials identified with the opposition party and were openly accused by the regional premier of subversion and obstructionism on behalf of the opposition. The third category of senior officials however comprised those who strove to maintain the ideal of a politically neutral and impartial civil service.⁹ This was the general pattern in all the regions of the country though the details might be different.

The picture was not different at the centre. The account of Allison Ayida on the location problem of the iron and steel complex vividly illustrates the situation. The

⁹ Ladipo Adamolekun (1986) *Politics and Administration in Nigeria*, Ibadan; Spectrum pp. 78-82.

federal government and the three regions had included an iron and steel complex in their respective development programmes reproduced in the National Development Plan 1962-68. This was approved by the National Economic Council. When decision was to be taken on the location, the politicians were expectedly divided on regional lines. The technocrats lost their anonymity and their regions of origin either influenced their views or seemed to determine their expertise. Eventually, a political compromise was reached which was far from being economic.¹⁰

Omo Omoruyi¹¹ sees the civil service in this era as part of the National Dominant Coalition (NDC) which also included the civilian politicians and the military politicians. The object of the NDC configuration is hegemonic rule. The coalition has unequal partners and the position occupied by a partner is determined by the balance of power struggle within the coalition. In the first Republic, the civilian politicians were the dominant partner and were followed in the hierarchy by the military politicians. The civil servants were the most junior in the arrangement.

The other partners in the coalition were used in the fulfillment of the specific interest of the civilian politicians. For instance the military was used as a major instrument to stabilize their rule in the period. Specifically, the military was used to

¹⁰ Adamolekun, *Ibid* pp 85-86

¹¹ Omo Omoruyi (1992) *The Reformed Civil Service in the Transition Period and Beyond* Abuja; CDS

displace rival sections of the civilian political class by another section of the same class in 1962 in the Western Region. It was further used to quell civil disturbances both in Tiv Division and Western Region.

The main object of the civilian politicians of the period was to complement the political power they inherited from the departed colonial masters with economic power. As such, it was imperative to create many institutions and agencies through which accumulation could be ensured. The civil service became a major instrument through which accumulation by politicians was facilitated.

3.3 Civil Service Under Military Rule 1966-1979

There is no consensual verdict on the place of the civil service under the military in the latter's first coming. In the main, there are two views - that of the outsiders and the other of insiders. In sum, the argument of the former is that the leadership vacuum created by the disbandment of politicians with the military take over was filled by members of the higher civil service, first by incorporation, and latterly by accretion as of right. The consequence of this development was that the higher civil service exploited its partnership with the military to further and protect its corporate interests or those of its principals.¹² Obviously reacting to this outsider's view, the apologists of the civil

¹² Stephen Olugbemi (1988) 'The Civil Service: An Outsider's View' Oyeleye Oyediran *Nigerian Government and Politics Under Military Rule* Lagos; Friends Foundation pp. 97-98

service argue that the service had been misunderstood and abused, underpaid, undefended against libel and slander, upraised for much dedicated and useful work during the several critical years of the military rule but rather used as scapegoats by the rulers and their critics and would-be dispossessors alike. It is further argued that in reality, the structures, powers and functions of the civil service remained substantially unchanged during the period. Rather what changed was the public image of the higher civil service.¹³

These general views notwithstanding, it is much useful to break up the period into the following three as suggested by Asiodu

- (i) January 1966 to May 1967 - the Ironsi and early Gowon administrations.
- (ii) June 1967 to July 1975 - the years of the civil war and the later Gowon period.
- (iii) July 1975 to October 1979 - Murtala Mohammed/Olusegun Obasanjo regime.

3.3.1 The Ironsi And Early Gowon Administrations

This period has also been described by Adamolekun¹⁴ as that of military-bureaucratic diarchy. After the coup of January 1966, executive and legislative powers became vested in military leaders who were assisted in their duties by higher civil

¹³ Philip Asiodu (1988) 'The Civil Service: An Insider's View' Oyediran, *Ibid* p. 74

¹⁴ Adamolekun, *op cit*

servants who served as members of the political executives of the federal and regional governments. The military leaders had invited the leaders of the career civil service to join them in running the government.

The military established some study groups to make recommendations on constitutional revisions and various aspects of government administration in which career civil servants occupied very prominent positions. This arrangement continued up to May 1967. In the process, many higher civil servants were so openly identified with the partisan political debate that some were described as federalists and others as confederalists.

After a series of power struggle within the army, General Ironsi had emerged as the new Head of State who espoused and pursued a centralist political philosophy. He promulgated Decree 34 of May 24, 1966 which was directed towards the unification of all the Nigerian civil services. The "Unification Decree" in essence implied a centralized political authority and a return to the pre-1954 unitary civil service. This was one of the reasons that led to the overthrow of this government.

According to A.D. Yahaya the first indication that the Northern bureaucracy was organized for political action was made manifest with the formation of the Ni'ima Club in Kaduna. Members of the club were senior civil servants especially of the administrative cadre. Undoubtedly, they resented the Ironsi regime but were irked all the more by the unification decree of the regime. They contacted their peer groups in the

army, the police, and among students in the universities. In effect, they sponsored and encouraged other political groups in the north to protest against the unification decree. Eventually when the Ironsi regime was toppled, the bureaucracy became the rallying point of all political groups and notables in the north.¹⁵ It was active in organizing the "Leaders of Thought" meetings which brought together all northern political leaders under one umbrella.

In July 1966, another coup d'etat was successfully staged. The four days that came after the coup was characterized by a vacuum in national political leadership. As a result, a small group of higher civil servants in Lagos tried to fill this vacuum as best as they could. They were credited with the success of prevailing on the 'Northern elements that carried out the coup not to break up the country' after taking their revenge on the Eastern elements that in the main carried out the January '1966 coup'.¹⁶

Like their predecessors, the new leadership continued to involve career civil servants as partners in exercising the fused powers of the executive and legislative arms of government. Even though some former politicians and other professionals were involved in the work of the study groups and in the meetings of 'Leaders of Thought' that were subsequently summoned to discuss proposals on constitutional review between

¹⁵ A.D. Yahaya (1985) 'Experiences in the Northern States' Ladipo Adamolekun (ed) *Nigerian Public Administration 1960-1980* Ibadan; Heinemann p.89

¹⁶ Adamolekun *Politics and Administration... op cit* p. 100

August and December 1966, such activities were not central to the actual running of government which was largely shared between the military leaders and the higher civil servants. During the period, the most senior career official in each ministry or department of government (the permanent secretary) served as the political head of his ministry. The permanent secretaries and the top military officers jointly constituted the executive-cum-legislative body, chaired by the head of state and commander-in-chief of the armed forces.

This situation was also replicated in the regions. L.O.Dare¹⁷ for instance writing with respect to the Western Region noted that the removal of the politicians spelt the end of the disorientation which characterised the experience of the civil servants in the region in the First Republic as soldiers and civil servants soon became perfect allies. The civil servants were allowed almost complete freedom to formulate and execute policies. Permanent secretaries were directed to manage the affairs of their departments, and collectively constituted the region's executive council.

According to Asiodu, the close partnership between the civil service and the military in government can be explained from three standpoints. The first of such is what may be termed the 'commonality of characteristics and interests' argument, the main thrust of which is that people and institutions which subscribe to identical ethos tend to

¹⁷ L.O. Dare (1985) 'Experiences in the Western States' Ladipo Adamolekun (ed) *Nigerian Public Administration 1960-1980 op cit*

pull together for mutual advantage. The argument has it that the military and the civil service tend to pull together because of their identical organisational, behavioural and ideological characteristics as bureaucratic institutions. The civil service as a bureaucracy shares with its military opposite number such attributes as functional specialisation, role specificity, a hierarchical organisation that is characterised by centralisation, upward and downward communication flows, and superior-subordinate relationships; order, discipline, internal cohesion and esprit de corps; secular rationality; and a commitment to goal achievement and to national service. These commonalities were said to serve both to pull the two institutions together and to distinguish them from other social and occupational groupings.

Secondly, there is the 'power of knowledge' explanation which postulates that only the technically competent should lead. The Nigerian civil service during this era was cast in this image. For instance, Major Nzeogwu is quoted to have declared that 'after all', we have now got experts to do the job for us'. Civil servants have also pontificated on many occasions about their expertise and managerial capability.

Lastly, there is also the 'deficiency of the military explanation. This position has it that the military in most systems is incapable of ruling even the simplest of modern societies alone, in terms of their organisation and managerial skills. This inadequacy necessarily pushes it in the direction of alliance with other groups especially the civil bureaucracy with which it shares many characteristics. These explanations, both severally

and jointly, were valid for explaining the military-bureaucratic complex in Nigeria.

3.3.2 The Years of the Civil War and The Later Gowon Period

At the onset of military rule, soldiers had bought the erroneous belief that all they needed to do to achieve political stability was to "keep the politicians out". Ministers to them were the very incarnate of politicians. For instance, Gowon and his fellow soldiers in Aburi, Ghana, had publicly stated that politics and politicians were the banes of society, and that soldiers, if left alone by politicians, could settle their disagreements. In the same vein, civil servants who now enjoyed new powers as a result of political inexperience of the soldiers viewed the presence of ministers as an erosion of their newly acquired power and resisted the appointment of political ministers or commissioners.

By May 1967 however, when civil war was imminent, it dawned on the military administration especially at the centre, that a big communication gap had been created by the exclusion of politicians from the governmental process. Moreover, with all indications pointing to a civil war, the soldiers needed all experienced officers in the battle-field, and their political positions could only be filled by the despised politicians. Lastly, the politicians were required to perform some public relations and communications functions for the military administration, to ease the tension between the military government and the citizens, and cushion the dry orders and military decrees.

Faced with this situation, the military leadership at the federal level took the

following two decisions: restructuring of the federation into twelve states in May 1967; and extending invitation to a number of prominent civilian leaders (mostly former political leaders) to become members of a federal executive council in June 1967. These civilian politicians appointed as commissioners were specifically designated as heads of the ministries and departments of government. The logic behind this new thinking was espoused by the Western State Governor, Adeyinka Adebayo, while swearing in twelve civilian commissioners in his state. He explained that

The swearing-in ceremony today therefore represents a step forward, deliberately taken with a full awareness of the political implications and of the risks involved. I cannot forget, and we all must remember, that this is the second time in recent years that during an emergency period we are called upon to broaden the base of government so that the resources of brain, experience and wisdom which abound among us may be mobilized to assist in bringing back the normal form of constitutional government for which we yearn.¹⁸

The appointment of civil commissioners effectively meant that civil servants were no longer the overall bosses of their departments. The commissioner also replaced the civil servant as the public relations man for the military administration thereby subsiding the initial openness of civil servants speaking and defending policies. Henceforth, the civil service returned to its traditional role, though retaining some of the extra powers

¹⁸ CF Dare, *Ibid* p. 104

it had acquired between 1966 and 1967.

In reality however, the appointment of commissioners never achieved its objective of restricting the civil service to its traditional role. A.E.C. Ogunna,¹⁹ writing from the Eastern perspective, posits that in practice, the higher civil servants were the architects of government policies. He explained that this was so because in the first place, civil servants initiated policies, and collected and collated relevant information for the determination of public policies. They then assembled and presented these data carefully in the most logical manner indicating the possible alternatives. The policy alternatives were usually presented with very powerful and technically orientated annotations. The policy materials were then submitted to the commissioner for examination and decision. As a result of the technical and persuasive way in which the policy alternatives and the accompanying annotations were presented, the civil commissioner had no alternative but to accept the civil servants' recommendations.

He went further that there were instances when civil servants concealed information that would enable the commissioners to disagree with the policy proposals. Even on occasions when a vigilant commissioner imbued with a strong personality was courageous enough to disapprove the recommendations of his permanent secretary, the latter invariably manipulated available information and warned of imaginary disastrous

¹⁹ A.E.C. Ogunna (1985) 'Experiences in the Eastern States' Ladipo Adamolekun (ed) *Nigerian Public Administration 1960-1980 op cit*

consequences so as to sustain his recommendations. In some cases, the permanent secretary resorted to a bold but informal measure of taking the matter to the state governor who on most occasions approved the recommendations of the official expert. The permanent secretaries participation in the executive council meetings obviously increased their powers as it enabled them to defend their proposals at the meetings. To make matters worse, in most cases of disagreement with civil commissioners, they proved superior.

Ogunna backs up his position with empirical data. According to him, in a questionnaire administered to a sample of 330 civil servants of the (then) East Central State, 60.6% indicated that the higher civil servants in practice made and controlled public policies in the state. In another sample of the civil commissioners of the states, 62.5% of them opined that civil servants rather than themselves determined public policies in practice. It is therefore incontrovertible that permanent secretaries usurped the powers of the civil commissioners as political masters.

But the question arises: what factors were responsible for this role reversal? Ogunna advances some. In the first instance, the civil commissioners had no political bases. As they were neither popularly elected by the people nor were they appointed by a popularly elected executive, they were therefore neither responsible to the people nor could they be removed indirectly by the people when the government became ineffective or unpopular. They were responsible to the self-imposed military rulers and held their

offices at the pleasure of the military. This reason however is hardly tenable. The civil commissioners of course derived their legitimacy from the military regime that appointed them, if the latter had any.

Secondly, the civil commissioners were described as "odd men" in government as they were not military officers, civil servants or professional politicians. The third reason was that the permanent secretaries had many years of experience in the working of their ministries, and possessed technical knowledge and competence. They advantageously deployed the mechanisms of administration, to hoodwink the commissioners. Moreover, the increasing scope and complexity in developmental programmes undertaken by the military administration led to a situation in which higher civil servants were almost free to take policy-decisions which were merely endorsed by the civil commissioners.

Fifthly, the permanent secretary was also better placed than the civil commissioner in the scheme of affairs of a ministry. For instance, all the civil servants within each ministry were under the direct control of the permanent secretary who had the powers to control, direct and supervise them. He possessed powers of discipline over junior officials and could also write adverse confidential reports on any erring senior civil servant to the Public Service Commission which in most cases, upheld such reports. The permanent secretary also had effective control of the communication system within the ministry. The civil commissioner's access to the information from the ministry was

through the permanent secretary while he had no control whatsoever over the civil servants within the ministry.

Sixthly, there was the poor and negative perception of the civil commissioner's role by the permanent secretaries. The civil commissioners were seen mostly by the permanent secretaries as an "imposed nuisance, an unnecessary appendage or a mere threatening or passing cloud". Civil commissioners were considered as "foreign bodies" in the military rule since they were not professionals in arms (military men), professionals in administration (civil servants), or professionals in politics (politicians).

Seventhly, some permanent secretaries, in pursuit of power and effective control of their ministries, adopted the strategy of diverting the attention of some civil commissioners to areas of personal enrichment. Some of them tended to corrupt the civil commissioners by showing them ways of corruption and making them believe that such avenues would enable them to make "proper" use of their public offices. Lastly, there was the negative attitude of the military governors towards their commissioners. The governor was more or less a 'tin-god' who could summarily dismiss any of his commissioners. This attitude of the governor generated negative psychological impact on the authority and powers of the civil commissioners. What is more, the military governor tended to rely more on the professionals in government than on the civil commissioners.

The reports of two commissions set up by the military during the period under focus cannot be ignored. These were the Adebo Commission of 1970 and the Udoji

Commission of 1972-74. These formed part of the measures taken to reform the administrative system. According to Balogun, the military regime acknowledged the need to improve working conditions in the public sector. To this end, a Wages and Salaries Review Commission under the chairmanship of Chief Adebo was set up on 20 April 1970, three months after the end of the civil war. The Commission recommended salary and wage increases aimed at 'relieving intolerable suffering at or near the bottom of the wage and salary levels. It also advocated a twenty-scale grading structure to replace the then existing one, which contained 'over 100 incremental scales and super-scales'. The structure proposed was to lead to the unifying of the professional, administrative and other cadres and integrate the executive with the administrative class. Because of the wide-ranging implication that the Adebo proposals had for reorganisation, grading and job evaluation, the commission further recommended that a Public Service Review Commission be appointed.

Adebo Commission advocated a new civil service ethic and defined the tasks of top management and expected officers serving at this level to possess capacity to 'plan, appraise, motivate and direct'. It expressed disappointment at the performance of a number of permanent secretaries and other top government officials who did 'not seem to measure up to the standard that the country is entitled to expect from them'. As a follow-up to this observation, the commission recommended a radical revision of the ethos that had become part of the ministerial organisation. It stated that

It is about time that we as a nation paid more attention to the quality of the individual and his on-the-job performance, and less to seniority or paper qualification. At the same time the befuddled concept of 'security of tenure' should be discarded in favour of proper service discipline, and the application of management-oriented principles and measures of excellence.²⁰

The military government accepted most of the recommendations made by the Adebo Commission. Consequently, government announced the appointment of a Public Service Review Commission under the chairmanship of Chief Udoji on 13 September 1972. As a matter of fact, the scope of the Udoji Commission was wider than as proposed by the Adebo Commission. The latter had expected the suggested body to focus on the civil service. Rather, the government included the local government service, corporations, state-owned companies, universities, the teaching service and the judiciary within the scope of the commission. Apart from examining the organisation, structure and 'management style' in the public sector as whole and recommend reforms the commission was expected to

Undertake, with the aid of appropriate grading teams, the regrading of all posts in the Public Services, establish scales of salaries corresponding to such grades and as a result of a job evaluation of posts, recommend salary scales to be applicable to each post in the service.²¹

²⁰ Cf M.J. Balogun (1983) *Public Administration in Nigeria* London; Macmillan p.158

²¹ cf *Ibid* p. 193

The report of the commission was published in September 1974. According to Adamolekun, a comparison of the government white paper with the Udoji report reveals that all the negative comments on the civil service were either ignored, suppressed or dismissed, and that the recommendations that could favour the healthy growth and development of certain institutions within the public service were rejected.

Some concrete instances will establish the influence of the super permanent secretaries under whose supervision and direction the government's white paper was written.²² In a case, it was a question of asserting the superiority of generalist administrators over professionals and specialists within the civil service itself. In another, it was a desire to prevent the public enterprises and the universities from enjoying an autonomy that could enhance their status as elite institutions. In essence therefore, in the formulation of government policy on the Udoji report, the super permanent secretaries not only enjoyed primacy, they virtually monopolized power.

The Udoji Commission had observed in its report that the relationship between generalist administrators and professionals was 'one of acrimony and antagonism in a conflict rather than partnership in an enterprise'. This observation had been played down by the senior generalist administrators who authored the white paper by claiming that the

²² Adamolekun, *op cit* pp 116-117

commission had 'overplayed the so-called "tension" between the administrators and professionals in the public service. It was the few top professionals who decided to speak out that exposed how the preparation of the white paper had been dominated by the generalist administrators.

The recommendation regarding the autonomy of parastatals and universities was rejected on the argument that there was a prevalence of abuses such as tribalism and nepotism which therefore disqualified them from enjoying such autonomy. The truth however was that the commission had specifically deplored the extent to which the country's civil services (including the federal civil service) were plagued by the vices of tribalism, nepotism and ethnic antagonisms. Expectedly, the white paper was silent on this observation contained in the report. Contrarily, the generalist administrators were using these same vices to castigate other bodies. They therefore failed to see the mote in their own eyes.

Overall, Udoji commission made many useful observations and recommendations. For instance, it highlighted the negative effects of the hierarchical class structure on performance and on the protracted conflict between the generalists and the specialists in the civil service. It particularly argued that 'sterile debate' on the relative importance of generalists and specialists

illustrates the fact that the (civil) service is at present organized to suit an out-dated concept of class and educational qualifications, whereas it should be *organized*

around the achievement of objectives and to encourage the development of employees to the greatest extent.²³

Pursuant of the objectives of what Udoji Commission termed the new-style, result-oriented public service- a public service capable of meeting the challenges of the 1970s and beyond - the commission proposed the abolition of the existing class structure and its replacement by a unified structure. The expectation was that this would resolve at once all the paradox of 'specialisation' and 'hierarchical control' as both specialists and generalists would now have the opportunity of rising to the topmost positions in the organisations.

Prior to this recommendation, only administrators were executive heads of ministries into which the departments had been integrated. As a result, the top-most position, hitherto known as that of permanent secretary, would have to undergo a change of name - it should now be known as 'chief executive' or 'director-general'. The commission also recommended a 'business model' in organising a typical ministry. Under a chief executive or director-general, there ought to be a whole range of 'programme managers'. For instance, in the Ministry of Agriculture, managers should be appointed to head agricultural, forestry, fisheries, financial and personnel and cocoa research programmes and an extension services project. Lastly, the commission proposed the

²³ cf Balogun, *op cit* p. 159

adoption of new management styles capable of replacing bureaucratic red tape with results. Three main techniques - project management, management by objective and programme and performance budgeting - were suggested.

Government rejected the business model proposed by the Udoji Commission. It however accepted the recommendations on the unification of the dual (generalist-professional) hierarchical structure. Also as a result of the recommendation of the commission, the multiplicity of salary scales in the public service with numerous prefixes from the alphabet (scales A,B,C,D, etc). were abolished. All salaries in the public service (including universities, the judiciary, and the public corporations and other parastatal organisations) were now grouped into Grade Levels 1-17. In an attempt to harmonise salaries in the public sector with salaries of people with 'equivalent' training and responsibilities in the private sector, the report further recommended considerable salary increases.

On the whole, the recommendations of the commission and their implementation appeared to have failed in realising the initial objectives. According to Asiodu,²⁴ internally, the report rather than resolving seemed to exacerbate the Administrative versus Professional tension. He observes further that no attention appeared to be paid to the reforms for greater productivity and efficiency.

²⁴ Asiodu, *op cit*

3.3.3 Murtala/Obasanjo Regime

Balogun has rightly observed that the bureaucracy appeared to have reached its zenith of influence and power by the end of July 1975. On 29 July of that year, there was a change of leadership which brought Murtala Mohammed to power in place of Yakubu Gowon. The new leadership claimed stemming the drift towards decay and institutional breakdown as the motive in intervening. It identified the malaise plaguing the country as indiscipline, corruption and bureaucratic inefficiency.

One of the major steps taken during the first few months of the new military rulers was a purge of the public service generally. The argument was that the civil service was politically responsible for the 'drifts and indecision' of the later Gowon years and that its machinery must be overhauled to make progress. This was the first time in the history of the nation that a change in government would mean such a radical change in the bureaucracy. The exercise was not restricted to the federal bureaucracy alone. Direct orders were sent to the various state governments to clean up their respective services. At the end of the day, over 11,000 people were retired or dismissed, some in disgrace.²⁵ Various charges levelled against the victims included corruption, abuse of office and failure to perform duties properly.

Adamolekun has suggested that the decision to purge the public service must have

²⁵ Asiodu, *Ibid* p. 89

been influenced in part by the arrogance of administrative power which had become very pronounced during the first half of 1975 considering the fact that two key members of the new leadership team had served as federal commissioners up to the time of the coup d'état. The first major problem with the step however was its *modus operandi*. In order to accomplish the purge in a matter of weeks, no due process was observed. The Civil Service Regulations which require the making of a formal charge or statement of the grounds on which disciplinary action is to be taken and inviting a defence even with only a delay of twenty-four hours or less, were set aside. Simple procedures of observing natural justice were ignored. Inspired complaints which were not brought to the attention of the alleged culprit were to lead to announcements of dismissal or retirement on the radio. Consequently, for a few genuine culprits disciplined, many more thousands of innocent, patriotic, hardworking and dedicated civil servants who had stepped on the toes of some unknown and secret complainants lost their jobs.

As a matter of course, the purge *abinitio* assumed promise of clearing the field for a more efficient, responsive and polite public service and appeared popular. This was equally true of government posture of putting civil servants in their place. A step in this direction was the public announcement that permanent secretaries would no longer attend meetings of the Federal Executive Council. However the purge left the formal structures of the civil service intact. This of course meant that some individuals were simply removed and others took their places.

It was not long before it dawned on all concerned that the step was counterproductive in terms of productivity, initiative and risk-taking, innovation, morale and loyalty to the government of the day. Many who had taken risks to expedite government business, or had been loyal enough not to disclose their disagreement with the government behind the back of their commissioners, had been among those purged. Naturally, their successors would not wish to be so caught out. The purge also brought on its heels the early voluntary retirement of a number of experienced and useful officials. Severe damage had been done to the notion of security of tenure in the civil service.

Subsequently, government had to establish a Panel on the Social Implications of the 1975 Retirement Exercise. This was nothing but a tacit admission by the military leadership that the purge amounted to an act of arbitrariness. General obasanjo himself admitted as much when he said that:

We started with mass retirements from our public service in the hope that new lessons would be learnt and new attitude cultivated. The popular acclamation which the exercise received from the public accentuated our hopes, but after a short time the hopes receded. In their utterances most Nigerians displayed shocking callousness and sadism...²⁶

²⁶ cf Adamolekun, *Politics and Administration... op cit* pp. 121-122

It was the same picture at the states. Ex-governor Jemibewon corroborates when he declares that:

I cannot swear to it that all those officials who were retired from the service in the Western State during my administration deserved the fate which befell them. Indeed, most of the purge carried out in the former Western State took place during my first few months in office as military governor. I had no opportunity of knowing the officials affected nor did I have the opportunity to study and scrutinize each case in order to satisfy myself of the degree of merit or otherwise of each office.²⁷

The cumulative effect of all these, as earlier said, was that morale, effectiveness and productivity in the service sagged. Not even the belated effort by the federal military authorities to set up panels where retired or dismissed officers could appeal against the decision, with a view to reabsorbing those not found guilty could save the situation.

Nevertheless, the civil service leaders who survived the purge decided to put the pieces together again and define a role for themselves that would take account of the eleven years of parliamentary government (1954-65) and of the preceding nine years of military rule (1966-75). This was more salient at the federal level, where they accepted with equanimity the banishment of permanent secretaries from active participation in the meeting of the federal executive council. At the same time they cashed in on the military leaders' readiness to regard the civil service as a legitimate source of policy advice. They

²⁷ cf Dare, *op cit* p.106

therefore exploited the mechanism of the civil service filter to maximum advantage. In reality, life almost continued as if nothing had changed. The structure and regulations governing the civil service was left untouched. This favoured the civil servants. For instance they were able to use their basically unaltered position to get from the military government the Public Officers (Protection Against False Accusation) Decree.²⁸

In summary the picture of the civil service under the military from 1966 to 1979 has been one of change and continuity. In the period, civil servants had ensured the continuity of the machinery of government, had a clear commitment to national unity and to national greatness and prosperity; and had self-confidence and were proud of their role in the society (though this latter point suffered a set back in 1975).

On the negative side, they were unable to propose solutions to fundamental issues on which opinion was divided among politicians and within society at large; whenever they were left to determine government policy, they tended to attend first to their members' interests; were preoccupied with achieving, maintaining and asserting primacy in policy formulation while paying inadequate attention to the strengthening of the civil service institution and to the execution of settled policies; the persistence of the generalist-specialist conflict weakened the civil services and accounted in part for poor record in policy execution; they failed to pay adequate attention to the improvement of

²⁸ See Adamolekun, *Politics and Administration...* . 128

the managerial and technical competence of their members; and there was an absence of a concept of public service, a problem for which they were not solely responsible.²⁹

The era also witnessed the ascendancy of the federal civil service over the states' civil services. After the regionalization of the civil service in 1954, the regional civil services were seen to be superior, or at best co-ordinate with the federal civil service. This was because the regions attained self-government before same was granted to the centre and the regional civil servants got higher remunerations than their federal counterparts. Accordingly, senior civil servants moved to their regions of origin. Such senior 'civil servants were unwilling to surrender their seniority to their 'juniors' who moved up rapidly following the exodus of expatriates.

The advent of the military however changed this as the federal nature of the country was in practice unobserved. The rise in oil revenues, the bulk of which is retained by the federal government also meant that states increasingly became dependent on the federal government.

3.4 Civil Service in the Second Republic (1979-1983)

Since the administration between 1 October 1979 and 31 December 1983 was a constitutional one unlike its military predecessor, the most appropriate point to begin its

²⁹ *Ibid*, p.128

analysis is to examine its legal basis. The 1979 constitution provided for a civil service whose head had to be 'from members of the civil service of the federation or of a State'. The civil service commission, one of the executive bodies provided for by the constitution, had the responsibility for appointments to offices and the disciplinary control of officers in the civil service. To guarantee the independence of this body, the constitution stipulated in its section 145 that 'in exercising its powers to make appointments or to exercise disciplinary control over persons... (it) shall not be subject to the direction or control of any other authority or person'. The five-year tenure of membership, overlapping with the four-year tenure for a president, was further intended to strengthen the autonomy of this body. The constitution specifically described the post of head of service as political and the tenure was coterminous with that of the president. In the same vein, people appointed as permanent secretaries or other chief executives in any ministry or department of Government were to leave with the regime that appointed them.

The constitution also charged the ministers with the 'administration of any department of government' and that they also had 'executive responsibilities'. The permanent secretary was equally described as the 'chief executive' of a ministry. These ambiguous provisions however led to some confusions. In the first place, what should be the place of the permanent secretary in policy formulation under this arrangement? Secondly, would the permanent secretary be regarded as a member of the career civil

service and therefore remain in office after the departure of the president? The constitution was particularly silent on the latter question. As a result of controversies generated by these issues in many parts of the country, the National Council on Establishment (an intergovernmental body that seeks to harmonize personnel principles and practices in the country) adopted some resolutions germane to the foregoing considerations.

In the first instance, the removal of Permanent Secretaries and Head of Department from positions mentioned in Section 188 of the constitution for reasons other than criminal offence or grave misconduct did not amount to termination, dismissal or retirement and such officers should fall back to their civil service post and come under the commission's disciplinary control on removal from office by the Executive. Secondly, the post of Permanent Secretary remained a post in the civil service.

A non-career Permanent Secretary was to become a civil servant from the date of his appointment as a permanent secretary. As a civil servant, a Permanent Secretary must abide by the code of conduct prescribed in the constitution for public officers and by Civil Service Rules especially those on publication and public utterance as well as those on political activities.

It was further resolved that although the post of Permanent Secretary was pensionable, it was no longer a career post within the normal promotion expectancy of a career civil servant. The tenure of a civil servant would not lapse automatically when

the Chief Executive who appointed him ceased to be in office; such a person could remain in office until he was formally removed by the Executive.

A career Permanent Secretary removed from office could retire and draw benefits on his terminal scale as Permanent Secretary, in accordance with Pensions Regulations or revert to this substantive career grade in the civil service. Lastly, a non-career Permanent Secretary removed from office ceased to be a civil servant but could be entitled to any benefit for which he might be qualified under the Pensions Regulations provided that on application by him, he could be considered by the Civil Service Commission for an appointment to the appropriate post in the Civil Service having regard to his qualification and experience.³⁰

We should point out that the National Council on Establishment is not an executive body and as such its resolution is not binding. Nevertheless, the position it took on this subject influenced the actions of several governments. Some other noteworthy structural alterations were also made in the policy-making process in the period under review. For instance, in order to diversify the source of policy advice to government leaders and of course, to break the monopoly of the civil service in this respect, the constitution allowed the appointment of Special Advisers for both the president and the state governor. An official document to clarify the positions of the permanent secretary

³⁰ cf Adamolekun, *Politics and Administration...* p. 145

vis-a-vis that of the minister was also issued at the inception of the civilian government in 1979. The relevant portion stated that the minister is the chief executive, the principal agent of the President within his Ministry and the person on whom devolves the primary responsibility for ensuring that the policies of the Administration are clearly understood by the civil service.

The Permanent Secretary is the chief officer, the principal civil service adviser to the Minister. He is responsible of the Minister for all the activities of the Ministry, particularly as regards the implementation of the policies and programmes of the Administration. He has direct responsibility for ensuring that all expenditure of fund in the Ministry's votes are not only proper but in accordance with the purposes for which the funds were voted. But he should keep the Minister informed of the disbursement of large sums of money from the Ministry's vote for services rendered. It would not help the cordial relationship which should exist between the Minister to hear matters concerning his Ministry, particularly huge expenditures, from outside sources.³¹

Overall, the senior civil servants were still able to gain the upper hand in policy formulation process in the period. Many reasons have been advanced for this situation. In the first instance, the balance of ability is often invariably tilted in favour of the permanent secretary as a result of the knowledge, experience and expertise available within the ministry. This situation made him an effective policy maker. Secondly,

³¹ cf *Ibid* p. 147

Adamolekun has pointed out that the special advisers did not manage to assert themselves as credible and useful sources of policy advice for government leaders. One possible explanation for this was the newness of the institution as well as the difficulties that the first set of advisers faced in settling down to perform their functions. This took place within a milieu in which those who had hitherto considered policy advice as their exclusive preserve were uncooperative and, in some instances, downright hostile.

Besides, two critical variables determined whether or not individual special advisers made any useful contribution - the quality of the individual (relevant knowledge and experience), and his access to the chief executive. However, the reality was that too many of the special advisers appointed between 1979 and 1983 failed either one or both of the above two tests that could have ensured their effectiveness. In many instances, the post of special adviser was treated as a patronage post and no attention was paid to the knowledge and experience of the advisers. On their part, these advisers behaved as if they had been appointed to just any other political post and were, therefore, more interested in seeking publicity than in preparing alternative policy options.

An adviser who had regular access to the chief executive would have received the cooperation and assistance of the ministers and higher civil servants in the ministries and departments. In a good number of cases, ministers and commissioners saw special advisers as rivals and sought to bypass rather than work with them. As a matter of fact, many ministers and commissioners sought to block the access of special advisers to the

chief executives. The net effect of all these was that higher civil servants had very wide latitude to operate in policy formulation process. This observation is not however without a nuance. Generally, the power struggles between ministers and permanent secretaries over policy making were limited to issues whose significance was largely confined to the individual ministries. On occasions when broad policy issues arose, the institutional arrangements of the presidential system came into play, and the inputs from higher civil servants then became relatively unimportant.

We cannot round our discussion here off without taking a look at the debate on the appropriateness or otherwise of the type of civil bureaucracy that serviced the government in the Second Republic. One position tends to explain the non-performance and the subsequent collapse of the presidential form of government in Nigeria largely in terms of the so-called parliamentary variant of civil service that implemented its programmes. As one proponent of this view explained,

The inherited civil service structure has been another handicap to the Shagari Administration... There is certainly a question to be examined whether the British civil service pattern geared to the Westminster-type of government sufficiently ensures that ministers can enforce the administration's political programmes under the American-style Presidential administration.³²

There is however an opposing view which believes that this position was mere

³² Peter Pan 'Inside Shagari's Presidency' *Africa Now* (London) July 1983 p. 8

scapegoatism. Justice Buba Ardo for instance saw very little difference between the functions of the permanent secretary under the 1979 constitution and those under the 1963 constitution. Graham-Douglas³³ argues more forcefully that the differences between the 1963 and the 1979 constitution were not fundamental as to necessitate 'a complete reversal of the accustomed methods, procedures and processes; nor do they necessarily promote any alteration in the status of the Civil Service'.

The civil servants might be far-fetched in the apportioning of blames on the fall of the country's second democratic experiment. After all, General Muhammadu Buhari stated in his address after taking over power that the appropriate government agencies did give good advice but their advice was disregarded by that leadership. For our own position on this issue therefore we take a queue behind Adamolekun that the high visibility of the damage done to the economy by the politicians makes it difficult to assess correctly the actual role of the career civil service, especially the leading members of the service at the federal level'.

On the whole, the slide in work ethics in Nigerian public administration appeared to have reached an unprecedented level in the Second Republic. One feature of discussions on this malaise in this era was the candour and boldness with which members

³³ N.B. Graham-Douglas(1981) 'The Position and Role of the Civil Service under the 1963 and 1979 constitutions: A Comparative Study' M.A. Soneye and M.J. Balogun (eds) *A Report on the Workshop on the Relationship Between Policy - Makers and Higher Civil Servants* ASCON Press

of the public were commenting on the issue. This was made possible because the prevailing environment was conducive to such frank discussions. Since it was a time of civil rule, there were little or no inhibitions to freedom of speech and many writers of newspaper articles freely disseminated their experiences with public officers especially civil servants.

Such discussions dominated the print media to the extent that the ruling government could not feign ignorance. Consequently, government came up with a policy programme tagged Ethical Revolution. One characteristic feature of the government of the period was that public policies were meant to create opportunities to reward political loyalists and not necessarily to affect positively the lives of the citizens. Government was therefore quick to appoint Alhaji Yusuff Maitama Sule as the chairman of the body to prosecute the programme. Unfortunately, the programme was not articulated and neither objectives nor modalities for implementation were outlined. The programme therefore became an exercise in rhetorics as it lacked focus.

Naturally, this attracted more criticism from the attentive public. In response, in October 1983 after President Shehu Shagari had been sworn in for a second term, he announced the creation of a new Ministry of National Guidance which he hoped would give form and direction to the programme. The new Ministry was yet to take off when the military overthrew the regime.

The unwillingness of the government in the second Republic therefore was in no

doubt. It refused to invigorate the statutory bodies charged with the duty of enforcing ethical ideals in public service - the Code of Conduct Bureau and Code of Conduct Tribunal. Alternatively, it created a new but impotent body which had neither the mandate nor the will to enforce work ethics in the public service. At any rate the political executive in the era could not make any pretension to a higher moral standard than what obtained in the civil service. It was therefore hamstrung by its own activities.

3.5 Civil Service Since 1983

At the close of 1983, the military again seized power. One of the first steps taken by the new military regime was another spate of retrenchment in the public service, with the civil service bearing the brunt. Immediately after this exercise, the Dotun Phillips Study Team was constituted by the government to review the Federal Civil Service in March 1985. The Study Team had the following terms of reference:

- (a) Examine the adequacy of the Federal civil service in its structure, composition and method of operation to cope with the demand of Government in the mid-80's and beyond;
- (b) Examine the structure of the Civil Service and make recommendations with a view to streamlining the system where necessary.
- (c) Determine the extent of over-staffing at various levels, if any, especially at the lower rungs (GL 01-06) and make recommendations designed to prevent a re-occurrence of the phenomenon and ensure that staff numbers and personnel cost are kept to a minimum consistent with efficiency;

- (d) Examine the practices in the management and operations of the Civil Service which give rise to avoidable overhead charges;
- (e) Recommend ways in which the efficiency of the Civil Service and its morale can be enhanced;
- (f) Examine the extent to which earlier recommendations on improving the civil service were implemented and determine the causes of failure to implement any such recommendations;
- (g) Make such other recommendations as are considered necessary to achieve the objectives of streamlining the service, reducing cost, eliminating delays and increasing efficiency.³⁴

Before the Study Team could complete its assignment, a palace coup had taken place. The then chief of Army Staff, General Ibrahim Babangida took over from his erstwhile commander-in-chief General Mohammadu Buhari. It was to the new government therefore that the Study Team submitted its report. In January 1986, the Federal Military Government headed by General Babangida set in motion a transition to civil rule programme. The process began with the inauguration of the Political Bureau with a mandate of charting a new path to social order for the country.

The Report of the Bureau was comprehensive enough to touch virtually on all aspects of national life. One of the areas in the Report that received adequate attention was the civil service. The Political Bureau, based on its findings took full cognisance of the pivotal role which the Nigerian civil service plays as well as that which it should

³⁴ cf Omoruyi, *op cit* pp. 13-14

play. In the words of the Bureau

the civil service occupies a very strategic position in the social, economic and political development of this country. It is the most central of the institutions of government, which should be the prime mover of the social and economic development of the country.³⁵

It noted further that:

The role of the civil service will become even more crucial in the achievement of the goals and aspirations of the new philosophy of government outlined in this Report. Indeed, the implementation of the recommendations of this Report as with similar reports, will depend very much on the civil service.

On the state of affairs of the Nigerian civil service, the Bureau reported that:

the civil service was bedeviled by many serious shortcomings which have militated against its efficient functioning. Its goals and aspirations were not properly directed towards improving the general welfare of Nigerians. Rather, the system has mainly served the interests of the bureaucrats and those of capital accumulation of private local and foreign companies. For the civil service to play its proper role in the new political system envisaged for this country, it must be re-oriented and structured.

In concrete terms, the Bureau recognised three major problematic areas with the Nigerian Civil Service. These were problems of orientation which were seen as a product of the country's colonial heritage; intra-institutional problems of the civil service; and

³⁵ *Report of the Political Bureau* (1987) p. 111

other systemic problems which sandwich the civil service. Specifically, three major problems were identified in the area of orientation namely - the development and sustained conflict between generalists and professionals; the lack of understanding of the nature of symbiosis between administration and management and the elitist attitude of the civil service which looks down on the masses more or less in the administration of services to them.

The institutional constraints included the polar extremes of adversarial and collusionary relationships between the political and administrative executives of ministries, frequent transfer of top civil servants from one ministry to the other and the bottlenecks created by a not-too-efficient civil service commission.

The systemic problems included an unjust reward system which on one hand, created a wide gap between the lower income earners and the upper income groups in the civil service and on the other hand, a wide gap between the salary and other conditions of service in the middle and upper income groups in the public service and those in the private sector. There is also the not-well-founded general perception that the private sector is more effective and efficient than the public sector.

The Bureau went beyond identifying the problems of the Nigerian civil service. It did attempt to find the sources of the problems in order to facilitate their resolution. Accordingly, it presented two schools of thought of the roots of the problems - the apologists and the critics. The apologists preferred a rather sympathetic view of the civil

service predicaments and saw the general public's negative perception of the institution as unjustified. The school perceived the civil servant as only an obedient servant of the political leadership - whether military or civilian. The civil servant therefore had the only option of doing things right rather than doing the right things. In the process, he might end up not being effective.

The school also responded to the charge of resistance to change heaped upon the civil service. The argument was that given its hierarchical organisation, it needed a stable environment. Furthermore the school maintained that this criticism was not totally true as the Nigerian civil service had been responsive to constructive and even sometimes revolutionary changes as was the case during the civil war.

Ultimately, the school explained the imperfections of the system in terms of inadequate executive capacity, poor remuneration, low and falling morale consequent upon the 1975 and 1984 purges in the civil service, lack of policy continuity occasioned by frequent changes in government and the alleged displacement of merit principle by the principle of federal character in appointments and advancement of staff.

The critics on the other hand dismissed the position of the apologists with a wave of hand. They advanced the following arguments which they perceived as more fundamental: socio-psychological, structural and scope factors as well as the nature of the Nigerian society. Socio-psychological factors implied that the relationship between the civil service and the Nigerian society had been characterised by not negligible social

distance especially between the society and the top echelons of the service. The view held that top civil servants enjoyed comforts of life which were unaffordable to the ordinary man- decent housing, cars, telephone, potable water, uninterrupted electric supply etc.

The structural problem dealt with the bifurcation of the civil service which was an amalgam of generalist and professional personnel in the executive cadres. These two groups often engaged in conflicts leading to inefficiency and ineffectiveness. The Nigerian civil service was also said to be weak on critical factors of strong administration like techniques of management of resources. On a last score, the phenomenal growth in the scope of responsibilities and personnel in the civil service had also been said to have hampered the efficient performance of the civil service.

P.C. Asiodu, one of those who can be described as belonging to the apologist school, took a peep into the post-1979 era of the civil service and made the following submission:

It should be quite clear that where the civil service was not efficient enough and adequate for its tasks before 1975, it is now in a worse position. The country is expected to embark on a new phase of industrial and agricultural development involving more sophisticated technology, larger public-sector led joint ventures, more complicated international financial negotiations.

He concluded therefore that:

A priority, therefore, must be to recreate a dynamic and efficient civil service. This task will not be easy even if successive governments accept the need.

For the purpose of immediate future, Asiodu forcefully argued that:

It is imperative to rebuild the civil service. A totally new approach is needed in which the intellectual, social and economic environment is created to enable the country to recruit, train and pay the civil service it requires for its next more sophisticated stage of economic development and modernisation.³⁶

Stephen Olugbemi's outsider's view of the civil service under the military was not flattering either. According to him, the image of the civil service emerging from his study was not that of an angel. It was equally not one of an outright villain. Moreover, it was not one of indolence and inaction. Rather it was one that is full of intensive and extensive activities determined

by and/or corporate interests of the civil service in the erroneous belief that what is good for the civil service, its top members, or groups of them, is equally good for Nigeria³⁷

This was the background to the introduction of the 1988 Civil Service Reforms. The reforms were based on the report of the Dotun Phillips Study Team earlier alluded to. The reform measures were announced as part of the 1988 budget speech. The objectives of the reforms were quite numerous. The first of such was to considerably enhance the degree of professionalism in the civil service. The second was to align the

³⁶Asiodu, *op cit* p.95

³⁷ Olugbemi, *op cit* p. 109

civil service with the form and spirit of presidentialism. The reforms were also meant to ensure that management and control systems in the civil service were such as would no longer separate responsibility from authority at the top of the civil service hierarchy.

That was not all. The reforms were also aimed at installing accountability (not only for money, but also for performance) as the unmistakable hallmark of the civil service systems. Moreover, they were to ensure that the systems significantly enhance the degree of efficiency, effectiveness, promptness and speed of civil service operations. Another intention was the introduction of considerable delegation of functions and powers not only at the top but further down the line in the service. There was also the goal of installing appropriate checks and balances to prevent misuse or abuse of authority, but without jeopardizing the efficiency, speed and effectiveness of the service.

Other crucial goals of the reform were minimizing, if not eliminating, area of conflict, particularly at the top of the civil service; significantly insulating the civil service from partisan politics, but, at the same time, erect a smooth and efficient bridge between the civil service and the political or ruling class; putting the civil service in a form and shape which would enable it to meet the challenges of the modern age, with its emphasis on high technology, speed of decision-making, efficient information systems and achievement-orientation; and lastly, implementing the reforms without jeopardizing the unity and integrity of the civil service.

In order to achieve the stated objectives, the reforms had four major elements.

They were enhanced professionalization of the civil service, rationalization of authority and responsibility at the top level of a Ministry by making the Minister (instead of the Permanent Secretary as hitherto) the Chief Executive and Accounting Officer of his Ministry; and redesignating the Permanent Secretary as Director-General who now served as the Minister's deputy. The third element was the installation of a strong scheme of checks and balances to prevent misuse or abuse of power, especially on the part of the Minister. Lastly, there was the enhancement and strengthening of the economic and financial management apparatus of the presidency by placing the Central Bank of Nigeria and the Planning and Budget Office directly under the President.

These elements were individually approached through a number of modalities. Under professionalization, the staff structure was changed, so that there now existed in the civil service three basic staff categories, namely; Assistant, Officer and Director (each at different grades). The Assistant is a sub-professional, the Officer is a full professional, and the Director is a full professional with general management responsibilities.

Secondly, staff nomenclatures are changed to reflect areas of specialization, profession or basic function while the horizontal and vertical structures of the Ministry have been changed to reflect professional and specialized operational areas as well. Fourthly, the central pooling and central deployment of staff were discontinued and each staff was now to spend his entire career in his ministry or extra-ministerial department.

One other provision is that much greater emphasis is now to be placed on staff training which is now to be obligatory and systematically periodic for every staff in the civil service.

Performance evaluation schemes at institutional and individual levels are also revamped to reflect overriding emphasis on concrete performance (and accord much less weight than hitherto to politics, seniority and subjective factors). Lastly, much greater decentralization introduced in personnel, finance and operational matters.

The significance of the modalities enumerated above may be lost to somebody who is not well-grounded in the administrative process of the Nigerian civil service. It is therefore important that we make some clarifications. Before the reforms, there were many staff categorizations in the civil service. There were two broad categories which consisted of professional officers and administrative officers, both spanning the senior and junior ranks. The professional officers were civil servants in the registrable professions like medicine, law, accountancy, engineering, etc. Thus, civil servants in the non-registrable professions tended to be lumped into the administrative class. Consequently, this class of civil servants tend to be treated, for deployment purposes, as generalists who can be posted from one job to another, whenever it is deemed necessary, and regardless of their specializations. Those who may be in the modern (but non-registrable) professions such as personnel management, financial management, planning, budgeting, research, systems analysis etc are often not deployed in accordance with their

areas of specialization. As a matter of fact, it was a common practice to deploy a graduate of humanities to serve as a Budget Officer or Planning Officer often without prior additional and relevant training.

In view of the fact that it is the administrative class which controlled resources and policy formulation in the civil service, such perverse deployment of civil servants in the administrative class became a major cause of the weakness of the civil service especially when the development problems of the society became more complex and required increasing professional and specialist management.

The 1988 reforms sought to remove this weakness. Thus, the erstwhile distinction between the so-called professional class and the administrative class was discontinued. There was introduced three basic staff categories, namely: Assistant, Officer and Director each at different grades. An Assistant is not a full professional but a sub-professional; he has qualifications other than a University degree or professional equivalent. On the other hand, an Officer is a full professional; he has a relevant University degree or professional equivalent. A Director is also a full professional, with a relevant University degree or professional equivalent; but he has in addition also assumed general management responsibilities such as serving as the head of a branch, division or department.

In accordance with this professionalized categorization of civil servants, their functional titles now reflect their professions or areas of specialization. Thus, a sub-

professional civil servant whose specialization or job relates to personnel management is now called a Personnel Assistant (of a particular grade). Prior to the reforms he would have been called a clerk or clerical officer, regardless of his job or specialization. This Personnel Assistant serves under a Personnel Officer (of a particular grade); and both of them will be coordinated and managed by a Personnel Director.

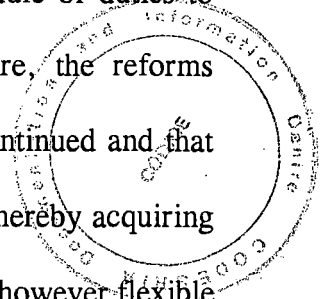
Enhanced professionalization is also extended to the internal structures of ministries within which civil servants perform their duties. As such, each ministry is now structured vertically into departments, divisions, branches and sections. Under this arrangement, departments reflect the principal functions or areas of concern of the ministry. Each department is broken into divisions to reflect the main professions or specializations involved in performing the functions assigned to a department. Each division is in turn sub-divided into branches to reflect the various branches of the professions concerned. In turn, each branch is broken into sections to reflect specialized activities within each branch of the profession. Moreover, while departments are to be headed by Directors, divisions are to be headed by Deputy Directors, and branches by Assistant Directors. Sections, on the other hand, are to be headed by Chief...Officers, that being the highest grade for the officer category.

Another major aspect of the professionalization of the institutional structures of each ministry is that the general policy and management functions hitherto performed by generalist administrative officers are now broken into specialised areas within the

departmental framework of a ministry. Thus, the Policy and Management Department which most ministries hitherto had is now replaced by three compulsory Departments in each ministry, namely Personnel Management, Finance and Supplies and Planning. Research and Statistics. The former generalist administrative officers are now deployed on the basis of their areas of specialization within these three broad management functions.

In addition to the three common management departments which each ministry must have, a ministry is allowed to have up to five 'operations' departments within which its peculiar functions or areas of concern are to be dealt with. Thus, each ministry can have up to eight departments in all, three of which are compulsory. The maximum number of eight has been based on empirical evidence of the optimum span of control which the Chief Executive of a ministry requires for the effective coordination of the operations of his ministry.

Professionalisation of the civil service renders the logic of central pooling obsolete. Hitherto, civil servants were centrally pooled, centrally-deployed and transferable at any time from ministry to ministry, or from one schedule of duties to another. To protect the reforms and ensure their durability therefore, the reforms stipulated that central pooling and central deployment of staff be discontinued and that each civil servant should now spend his entire career in his ministry, thereby acquiring life-long expertise in the operations of that ministry. This requirement is however flexible



as staff transfer is possible but now largely at the initiative of the staff concerned and without prejudice to his profession or specialization.

In the same vein, the enhanced professionalization of the civil service requires judicious and regular training and re-training of all staff in order to sustain professionalism and specialization. The reforms therefore mandated structured periodic training of staff in contrast to the previous practice in which training was sporadic, arbitrarily selective and prone to patronage manipulation.

The reforms also introduce judicious and objective performance evaluation schemes. Staff are now to perform duties that fall within their areas of expertise and are therefore expected to be much more productive than hitherto. A judicious assessment of their performance periodically is critical to their morale and continued high productivity as well as for the determination of their rewards. The reforms seek to revamp staff performance evaluation and promotion schemes to give overriding weight to concrete performance, unlike in the past when subjective factors and seniority weighed heaviest in the schemes. Moreover, periodic submission of reports on institutional performance is now obligatory on the heads of institutions within the civil service.

The reforms also tackle over centralization. The expected benefits of professionalization would be unrealizable if ministries lack control over their staff, or if professionals and specialists within the ministries have very little autonomy in their day-to-day operations. In this vein, significant decentralization and authority delegation are

important features of the reforms. Ministries are now given power to appoint, promote and discipline their staff, unlike in the past when these personnel management functions were performed centrally for the whole civil service by the Civil Service Commission. Within the Ministries also, there is now considerable delegation and decentralization of authority all the way down to the level of a Chief of Section. This is a radical departure from the past when authority was concentrated at the top of the civil service in the hands of the Permanent Secretary.

The second element of the reforms is the rationalization of authority and responsibility at the top level of a ministry. The rationale of this element is the obvious fact that maximum effectiveness in any organization requires that the locus of responsibility for the performance and fortunes of the organization should never be separated from the locus of the authority to command and control the resources of that organization. Prior to the 1988 reforms this kind of separation was the hallmark of the Nigerian civil service. For instance, the Minister was held responsible by the President and the public for the performance of a ministry, but it was the permanent secretary (a career civil servant) who had authority to control the resources of men, money, and materials available to the Ministry to perform its functions. This constantly generated conflict between both officials and thereby impeding effective and speedy performance.

The situation was compounded by the fact that whilst ministers change with governments, permanent secretaries (as career civil servants) were part of the imperative

inheritance of each government. As a result, succeeding governments found that they hardly had control over the machinery with which they must attempt to achieve their objectives. Consequently each new government felt compelled to purge the top of the civil service in a manner which undermines productivity.

Moreover, under the presidential system of government which Nigeria adopted in 1979, the executive authority of the nation is vested in the President and he is to exercise this authority either directly himself or through ministers or public officials. Of these channels through which the President can exercise his authority, ministers constitute the first and the major channel. Yet, it was that channel which hitherto had responsibility but not authority.

In view of the foregoing, the reforms stipulate that the Minister should be the Chief Executive and Accounting Officer of his Ministry. Also, the post of Permanent Secretary was abolished and replaced with that of Director-General who will be the deputy to the Minister and whose tenure would coincide with that of the government which appointed him. This establishes the point that the Minister should be held responsible for the performance of government in his ministry.

Lastly, the enhanced power and authority of the Minister requires that mechanisms be put in place to prevent abuse and misuse. The reform therefore had built-in provisions to check ministerial abuses and enhance financial accountability by a minister. These ensure that a minister would have neither sole power, total power nor

absolute power. For instance, a minister has to function through designated committees whose decisions are subject to appeal to the civil service commission. With respect to financial accountability, existing rules and regulations for the protection of government revenues and expenditures are strengthened and ministers compelled to observe them. New measures are also put in place to curb financial abuses. One of such is the introduction of audit alarm scheme whereby a minister who is intent on making improper payments against the advice of his financial officers can be stopped in his track. The Auditor-General has also been given power to sanction any officer, including ministers, for financial inpropriety or mismanagement and he now has access to the Chief Executive, should the need arise. All instructions to spend government money are now to be given in writing. Monthly financial reports are now mandatory on ministers. The Inspectorate Division of the Accountant General's Office is strengthened to ensure compliance by ministries to accounting procedures. Finally, there is now a formal provision that a minister's accountability does not end when he leaves office. He can as well be called back, even after leaving office, to account for the period when he was in office.

The reforms were embodied in the Civil Service (Re-organization) Decree No 43 of 1988. Unfortunately, for a myriad of reasons which do not fall within the purview of this study, the reforms did not take root. As a result, a panel was set up in November, 1994 under the chairmanship of Chief Phillip Asiodu to review the reforms. Acting on

the recommendations of the panel, government repealed Decree No 43 of 1988. The central components of the reforms were reversed, prominent among which was the reversion to the earlier arrangement of the Permanent Secretary (the title Director-General was abolished) now being the Accounting Officer of his ministry.

For the purpose of clarity, developments in the Nigerian civil service in the period after 1983 have to be disaggregated. Thus, we highlight developments under the Buhari/Idiagbon regime between January 1984 and August 1985 and those under the regime of General Babangida between August 1985 and August 1993.

The enormity of low work ethics in the Nigerian public service generally and civil service especially under the Buhari/Idiagbon regime might never be known. As a matter of fact, the regime attacked this problem frontally by embarking on a mass purge. Thousands of civil servants lost their jobs on all kinds of allegations bordering on indiscipline. It was however clear that this measure was a colossal failure as long as it was intended to enforce professional standards in the civil service. The problem was only swept under the carpet and it re-emerged in a more forceful manner after the departure of the regime. While still in power, the regime counted 'restoration of sanity' in the public service as one of its key achievements. Later events however revealed that the so-called restoration of sanity was only an appearance, based on the fact that public complaints about public officers were no longer loud. Using the advantage of hindsight, the reason why the public did not complain about public officers generally and civil

servants in particular in this period was not borne out of the latter's improved performances but rather as a result of the effect of the promulgation of the Public Officers (Protection Against False Accusations) Decree No 4 of 1984. This decree was very elastic in its provisions and its net was wide enough to catch any loud protest against any public officer. In short, the hallmark of the regime was repression and that explained why many victims of unethical conduct of civil servants wisely decided to turn blind eyes to the activities of public office holders.

On the other hand, the Babangida regime in its early years was very promising in terms of identifying, articulating and proffering solutions to burning social problems. Moreover, it realised the multi-dimensional nature of social problems and therefore sought to tackle them in like manner. Thus, the regime did attempt to complement the structural reforms enunciated in the 1988 Civil Service Reforms with attitudinal adjustment on the part of civil servants. As a result, the regime, through its Directorate for Social Mobilisation an agency charged with charting a new national course, launched what it called Operation Excellence (OPEX). The object of this exercise was to sensitive civil servants to professional standards. A similar exercise, codenamed Operation Service Alert was launched for members of the Armed Forces.

Unfortunately, the exercise went the way of the Ethical Revolution programme before it. It turned out to be a one-event programme. On the day it was launched, a rally was organised where addresses were read, condemning the poor attitude to work by civil

servants. For a few weeks following the rally, commercial jingles were relayed on electronic media while the print media also had its fair share of advertisements exhorting civil servants to be hardworking, dedicated and patriotic. Thereafter, the event faded out of the memory of all concerned. No effort was made to sustain the campaign which in turn was not systematic either.

In conclusion, our discussions in this chapter vividly corroborate our contention that no systematic and sustained efforts have been made to enforce professional standards in the civil service. The two attempts that have been made - Ethical Revolution and War Against Indiscipline were mere flashes in the pan. The efforts did not span the tenure of the respective governments that initiated them.

CHAPTER FOUR**INSTITUTIONAL FOUNDATION FOR PROFESSIONAL CONDUCT IN
NIGERIAN CIVIL SERVICE****4.1 Institutional Setting of Professional Conduct**

Institutional structures, arrangements, and procedures have a significant impact on the conduct of public officials. They cannot therefore be ignored in any sound analysis of behaviour of public officials. In any case, institutionalism is one of the traditional methods of political analysis. As James E. Anderson argues, 'The study of government institutions is one of the oldest concerns of political science. Political life generally revolves around governmental institutions....., public policy, moreover, is initially authoritatively determined and implemented by governmental institutions. It is not surprising, then, that political scientists would devote much attention to them'.

In the classical sense, the institutional approach concentrated on describing the more formal and legal aspects of governmental institutions - their formal organization, legal powers, procedural rules, and functions or activities. Usually, nothing was done to explain how institutions actually operated, apart from how they were supposed to operate, to analyse public policies produced by institutions, or to try to discover the relationship, between institutional structure and public policy. Thereafter, political scientists turned their attention to the political processes within governmental or political

institutions, concentrating on the behaviour of participants in the process and on political realities rather than formalism. We however hasten to point out that institutionalism, with its emphasis on the formal or structural aspects of institutions, can nonetheless be usefully employed in policy analysis. The reason is that rules, structures, and the like affect the conduct of public administration. As a matter of course 'rules and structural arrangements are usually not neutral in their impact'.¹ This explains why this chapter focusses on institutional basis of administrative ethics in Nigeria.

The point being emphasised here is that administrative ethics occurs within given institutional settings. As such, institutional factors greatly influence the nature of individual behaviour and choices. It stands to reason therefore that the prospects for sound professional conduct among civil servants hinge on the existence of a system of supportive institutions. A focus on institutional basis of administrative ethics therefore has the promise of yielding dividend at the end of the day as it becomes easy to recognise institutional gaps that inhibit bureaucratic morality as a preparatory step to designing alternatives to help fill them. In other words, at the end of the study, we should be able to come up with policy suggestions on fostering institutions which currently do not exist while at the same time reorienting institutions which may have been diverted to unprofessional ends.

¹ James E. Anderson (1975) *Public Policy-Making* New York; Robert E. Krieger p. 24

It is therefore apposite at this juncture to explain vividly what institutionalism entails. According to Shmuel N. Eisenstadt, three basic aspects of institutions are emphasized. First, the patterns of behaviour which are regulated by institutions deal with some perennial, basic problems of any society. Second, institutions involve the regulation of behaviour of individuals in society according to some definite, continuous, and organized patterns. Lastly, these patterns involve a definite normative ordering and regulation; that is, regulation is upheld by norms and by sanctions which are legitimized by these norms. Overall, he defines institutions as:

regulative principles which organize most of the activities of individuals in a society into definite organisational patterns from the point of view of some of the perennial, basic problems of any society or ordered social life²

He also contends that any institutional system regulates and organises patterns of behaviour of the individual members of a society or of its component groups. He adds an addendum that the institutional system is in turn greatly dependent on the activities, sentiments, and attitudes of its members.³

Relying on Nadel and Malinowski, M.G. Smith defines an institution as involving a charter of values, a code of rules, set forms of social grouping and personal

² Shmuel N. Eisenstadt (1968) 'Social Institutions' David L. Sills (ed) *International Encyclopedia of the Social Sciences* London; The Macmillan and The Free Press Vol 4 p. 410

³ *Ibid* p. 417

relationships, a set cycle of activities, a material apparatus, and a purposive character. He holds that the core of a culture is its institutional system. Each institution involves set forms of activity, grouping, rules, ideas and values. The total system of institutions thus embraces three interdependent system of action, of idea and values, and of social relations. The interdependence of these three systems arises from the fact that their elements together form a common system of institutions. These institutions are integral wholes and their values, activities, and social forms are mutually supporting. On the significance of institutions, Smith argues forcefully that:

The institutions of a people's culture form the matrix of their social structure, simply because the institutional system defines and sanctions the persistent forms of social life. To define the social structure, we must therefore analyse the institutional system. Likewise, to define a system of social value or action, we must first identify and analyse the institutional framework⁴

Michael Bratton and Nicholas Van De Walle contend that institutions are 'recurrent and valued patterns of political behaviour that give shape and regularity to politics. They may be manifest as political rules (either legal or informal) or as political organisations The data to study institutions is gleaned mainly from legal documents, in-house records and interview with officials of organisations' (emphasis in the original)⁵

⁴ Cited in *Ibid*

⁵ Michael Bratton and Nicolas Van de Walle (1993) *Transitions to Democracy in Africa; A Cross-national Study* p. 4

It is against this backdrop that we now proceed to examine legislations and conventions germane to administrative ethics in Nigeria.

4.2.1 Civil Service Handbook

The *Civil Service Handbook* has a self-declared aim of serving 'not only as a reference book but also as a guide to officers in both the senior and junior cadres' of the civil services of the federation. The scope of the *Handbook* is quite comprehensive, touching on 'all the salient features of the Civil Service, the role of civil servants in government and the manner in which government business should be done to ensure an *efficient and effective administration capable of winning public confidence*' (emphasis mine). It was therefore conceived with the expectation that it would lead to an 'improvement in the *conduct of government business*' (emphasis mine).

Stemming from the foregoing, the foreword to the *Handbook* enthusiastically recommended that it be made available to all civil servants as a useful textbook during induction courses and in-service training, as a reference manual in all units, divisions, sections and offices and 'as a handy guide to senior and junior officers in the *understanding of the principles and procedures that should be applied in dealing with Government business*' (emphasis mine).

The *Handbook* underscores the significance of bureaucratic morality by devoting its chapter four, titled 'Code of Ethics on Government Business' to a prescription of

what civil servants should do and how they should conduct themselves in the discharge of their official functions. The chapter opens with an admonition that 'Civil Servants should constantly think of how they can improve themselves to give better service to the country'. On a general note, eight points are itemized which civil servants should observe while performing their official duties.

Discipline is the first principle enunciated. It requires that Civil Services must be well disciplined. Moreover, rules and regulations should be adhered to and the interest of the services must be paramount. It stipulates that senior officers should prescribe codes of conducts which they themselves can and should comply with. The *raison d'être* of this stipulation is that effective leadership involves exemplary character, hardwork and transparent integrity'. Junior officers are also enjoined to be familiar with Government Regulations and Rules regarding good conduct. They must learn to obey lawful orders and established authority.

The second point is 'good conduct and ideals'. This however branches off into eleven sub-points. Indeed, *the Handbook* stipulates that 'good conduct is one of the criteria for promotion' alongside others as possession of the approved qualifications, merit and relative seniority. The first item under good conduct and ideals is loyalty and the requirement is that civil servants have to be loyal to government. No officer or employee has the right to a salary or wage without giving adequate service in return. Government is under no obligation to retain inefficient or disloyal elements in the

service.

Honesty comes closely on the heels. The emphasis is in relation to the public. It reminds civil servants of the fact that they are paid salaries for the duties which they perform. The import of this is that 'they should be conscientious on duty and demand or receive nothing in money or kind from anyone in the performance of their duties'.

Next is the requirement of courage. This is capable of many manifestations such as hardwork in a situation of an extensive schedule of duties. Another form is doing what is morally right even though one does not stand to gain personally from such action.

Courtesy is the fourth sub-point under good conduct. Civil servants are encouraged to be courteous to their colleagues and the general public they serve. Nothing justifies any act of discourtesy. According to the *Handbook*, '(a) heavy schedule of duties or any other circumstance cannot justify bad temper by civil servants'.

The fifth idea is co-operation. It requires all the staff in a Section of a Ministry to co-operate as a team in order to realise the overall purpose of the section. Next is 'tact', defined as skillfulness in handling a difficult situation without offending the people involved. The point is that the efficiency of the office and public satisfaction are enhanced by skill in dealing with people by creating an impression of willingness to be of assistance. There is also industry, meaning useful hard work. This point berates workers who work furiously to get little or nothing done. Such people only waste their energy and often give false impression to their supervisors.

The eighth item is avoidance of delay and it intertwines with industry. Somebody who is hardworking is unlikely to delay action on files or projects. The time of the worker is supposed to be devoted to official work. Workers are also expected to come early to their work places and devote their time to work until the closing time. They should also not mangle in their workplace.

The ninth ideal is tidiness. Civil servants are expected to keep their offices tidy and well-organised. They themselves should also be properly dressed, in a business-like manner, not as if one were going to a formal party or a beauty queen parade'. There is also the ideal of helpfulness. For instance, if papers or documents come to a civil servant by mistake from colleagues or the general public, he/she is enjoined to find out the correct destination and re-route the papers accordingly.

A related ideal, which is the last, is kindness and it entails respecting the privileges and rights of officers, employees and members of the public irrespective of the fact that those concerned are unknown to the civil servant. It also involves having a humane approach in dealing with people in difficulty. It however does not imply giving to people what they are unentitled to.

The third major point is attitude to public funds. Specifically, civil servants are enjoined not to waste public funds. Collectors of Government Revenue should be conscientious in doing their duty and should not make any rebates as a favour to anyone. Officers should justify every expenditure and ensure that economy is insisted upon.

Financial abuses should be discouraged by making suitable reports through the correct channel.

Besides these, other ideals which civil servants are expected to uphold are national consciousness, a good image of the service, social justice in the course of tackling social problems, exercising of authority for the general welfare of the public and flexibility and efficient decision making.

One fundamental limitation of this *Handbook* however is its failure to prescribe sanctions for violation of these codes. At the same time, procedure for enforcing the code is lacking. This is therefore one possible explanation for low work ethics among civil servants as the code may not be more than exhortations.

4.2.2. Civil Service Rules

The *Civil Service Rules* is the grundnorm for the Nigerian bureaucrats. Its opening sentence is couched in the mould of finality: 'These Rules supersede all General Orders, Gazette Notices, Circulars, etc published prior to 1st April, 1974 on the subjects concerned, but should be read in conjunction with circular instructions and Gazette notices on the same subjects issued on or after that date'. Unlike the *Civil Service Handbook* therefore, it contains prescriptions for sanctions against official misconduct. Chapter four of *CSR* therefore focuses on discipline. Overall, the Chapter has two sections, each on disciplinary procedure and misconduct. Rule 04101 states the basis of

disciplinary proceedings as an officer's misconduct or general inefficiency.

The power to dismiss and to exercise disciplinary control over civil servants is vested in the Civil Service Commission. The power may however be delegated to any member of the Commission or any officer in the Civil Service. The duty of reporting any case of observed misconduct is put on the shoulders of every officer. It must be brought to the attention of an officer superior to the officer involved. Following this, the superior officer has to make a further report to the head of his Department instantly. If necessary, his recommendation as to interdiction may accompany the report. On receipt of the report the Head of Department has to take appropriate action and if necessary may recommend to the Civil Service Commission or may himself order (if within power delegated to him) the interdiction of the officer or employee. At the appropriate point in the investigation, the officer or employee may be suspended.

The power to discipline officers holding senior posts on the pensionable positions as well as those senior appointments on agreement, probation or contract is not delegated. This is delegated to Heads of Department in respect of officers holding junior posts. *Civil Service Rules* prescribes sanctions for offences ranging from conduct prejudicial to the security of the state, serious misconduct (which certainly, from the tone of the *CSR* amount to criminal acts), and general inefficiency. The heaviest penalty stipulated in the *CSR* is dismissal.

In view of the gravity of this penalty, the *CSR* is very meticulous in its procedure

for inflicting this sanction. It states that the officer shall be notified in writing of the grounds on which it is proposed to dismiss him, and he shall be called upon to state in writing, before a day to be specified (which must allow a reasonable interval for the purpose) any grounds upon which he relies to expulcate himself. Thereafter the matter is to be investigated by the appropriate authority with the aid of the Head of the officer's Department, and such other officer or officers as the appropriate authority may appoint.

If any witnesses are called to give evidence, the officer is entitled to be present and put questions to the witnesses. Similarly, no documentary evidence can be used against the officer unless he has previously been supplied with a copy of it. If the officer however fails to respond within the time limit, the civil service commission is at liberty to take actions it deems fit. Also, if the Commission considers his responses unsatisfactory it can dismiss the officer.

If after due considerations however, the Commission decides to impose less drastic measures (eg. retirement) it can do so. Also if the Commission opines that the case against the officer needs further clarification, it can appoint a committee to enquire into the matter. The Committee will consist of at least three persons, one of them chairing the committee. The composition of the committee should reflect the status of the officer as well as the nature of the charges against him. Thus, the Head of the Officer's Department is disqualified from the membership of the committee.

The officer is entitled to be informed of the date of hearing in order to afford him

the opportunity of making an appearance to defend himself, and, possibly to call witnesses. His failure to appear in no way invalidates the proceedings of the committee.

In exceptional cases, the committee may, in its discretion, permit the officer to be represented by a solicitor or counsel but on the condition that in such a situation, the government will be availed of the same service. In the course of the inquiry, if further grounds for dismissal are disclosed and the commission thinks it is necessary to proceed against the officer upon such grounds, the officer will be furnished with a written statement of such grounds by the commission and same steps shall be taken as in respect of original grounds.

After the committee has concluded its deliberations, it will report to the Commission who will now consider the report. If the report is considered to require any amplification in any respect or that further investigations need be carried out, the Commission refers the issue to the committee for the required elaborations. The Commission cannot hear witnesses itself. At the end of the day, the commission will take the necessary decision on the issue at stake and impose necessary penalties, if need be, or clear the officer of the allegations.

If criminal proceedings are instituted against an officer, proceedings for his dismissal upon any grounds involved in the criminal charge shall not be taken pending the criminal proceedings. A dismissed officer forfeits all claims to retiring benefits, leave or transport grant.

Rule 04121 of the *CSR* defines general inefficiency as consisting of 'a series of acts of omission or incompetence of which the cumulative effect shows that the officer is not capable of discharging efficiently the duties of the office he holds'. The penalty for this lapse is removal. Before proceedings for the removal of a civil servant for general inefficiency can be taken however, he must have;

- (i) been warned on two or more occasions previously, in writing or
- (ii) suffered loss or deferment of his last increment and
- (iii) been given ample opportunity for improvement.

In this regard *CSR* warns that:

It shall be the duty of every superior officer as soon as he observes any fault or shortcoming in an officer or employee subordinate to him, to bring it to the officer's or employee's notice and to record that this has been done, with a view to improving the officer's or employee's usefulness and efficiency in the service.⁶

As soon as a superior officer becomes dissatisfied with the work or behaviour of any officer or employee subordinate to him, it shall be his duty so to inform the officer or employee in writing giving details of the unsatisfactory work or behaviour and to call upon him to submit within a specific time such written representations as he may wish to exculpate himself from disciplinary action. After considering such written representations as the officer or employee may make within the specific time the superior

⁶ Rule 04123

officer shall decide whether:

- (a) the officer or employee has exculpated himself in which case the superior officer shall so inform him and no further action shall be necessary or
- (b) the officer or employee has not exculpated himself, but no immediate punishment is warranted, in which case the superior officer or employee to acknowledge its receipt in writing or
- (c) the officer or employee has not exculpated himself and deserves some punishment, in which case Rule 04104 shall apply.⁷

Rule 04201 defines misconduct as 'a specific act of serious wrongdoing susceptible of investigation and proof'. This includes:

- (i) wilful act or omission or general misconduct to the scandal of the public or to the prejudice of discipline and proper administration of the Government, e.g. corruption, dishonesty, drunkenness, false claims against Government, foul language, insubordination, negligence, falsification or suppression of records, failure to keep records, etc;
- (ii) conviction for a criminal offence (other than a minor traffic or sanitary offence or the like);
- (iii) Financial embarrassment;
- (iv) absence without leave;
- (v) engaging in political activities;
- (vi) engaging in trade or business without authority;
- (vii) disobedience of lawful order, such as a refusal to proceed on transfer or to accept posting; etc.
- (viii) disclosure of official information;
- (ix) action prejudicial to the security of the state.

⁷ Rule 04124

The prescribed sanction for absence without leave is summary dismissal. According to Rule 04202:

Any officer or employee who absents himself from duty or from Nigeria without leave renders himself liable to be dismissed from the service without formality, and the onus shall rest on him to show that the circumstances do not justify the imposition of full penalty.

The same sanction is stipulated for financial embarrassment. With the exception of activities in co-operative societies, civil servants are barred from lending money at interest and guaranteeing or standing as surety for money lent on interest to any other person. All officers, employees and temporary staff in any Department who have access to classified or restricted papers are mandated to sign the Oath of secrecy before they are granted such access and the declarations so signed should be safely preserved. Similarly, every civil servant is subject to the Official Secrets Act and is prohibited from disclosing to any person, except in accordance with official routine or with the special permission of Government, any article, note, documents or information entrusted to him in confidence by any person holding office under any Government in Nigeria, or which he has obtained in the course of his official duties.

Officers are prohibited from abstracting or copying official minute, records or other documents except in accordance with official routine or with the special permission of his Head of Department. Civil servants are also barred from having access to official and secret records relating personally to themselves. A civil servant is also required not

to take with him any public record on leaving public office without the written permission of the appropriate authorities. Rule 04212 prescribes anonymity for civil servants while Rule 04213 hammers on political neutrality.

Rules 04214-04217 address issues relating to conflict of interest. For instance, Rule 04215 stipulates that:

A servant who is paid on other than hourly basis is prohibited from engaging in any occupation for reward unless he has previously obtained the permission... which will only be given if such engagement is not likely to interfere with the efficient performance of his duties.

In order to ensure fairness and avert likelihood of bias in dealing with public affairs, CSR provide necessary guidelines. Rule 04220 stipulates that:

No servant shall seek the influence of members of any other person for ensuring the due consideration of his claims in matters connected with discipline or with a view to obtaining consideration for appointment, transfer or promotion.

Similarly, Rule 04222 states that:

No servant or his family shall accept gifts or presentations, whether in the form of money or otherwise, from any person in recognition or anticipation of service rendered or to be rendered by virtue of his official position...

- (b) Presents from Rulers, chiefs and other persons which cannot be refused without giving offence shall be handed over to the Government.

Civil servants may not refuse postings and in order to enforce accountability, a civil servant is liable to surcharge to the tune of the amount involved if he causes a loss to the

public revenue by reason of neglect or fault and any sums due to him from Government may be withheld in a satisfaction of such surcharge.

To ensure familiarity with the guiding principles, thereby facilitating their application in the day-to-day running of the service, Chapter 7 of the Civil Service Rules prescribes, among other things, an examination in the Rules for all cadres of senior civil servants. Rule 07101 states the objective of the examination as 'to test the candidate's ability to apply the rules and principles contained in the books, Acts, etc.' To show the seriousness of this examination, Rule 07103 stipulates that any officer who fails to pass, within the allowed time-limits, this compulsory exam, is liable to have his probationary appointment terminated, or his confirmation deferred whichever is appropriate. In addition, he shall not be considered for promotion. There are two categories of officers affected: administrative officers appointed direct to the service on first appointment and those promoted from unconfirmed junior posts. Such officers are required to pass the exams within two years beginning from the date of taking up their appointments in the service.

Another measure contained in the *Civil Service Rules* and which is designed to guide proper conduct of civil servants is the annual Confidential Report (now known as Annual Performance Evaluation, APER). The Provisions in this respect are contained in Chapter 6. Rule 06101 mandates every Head of Department to nominate Reporting Officers within the Department, who shall sign Progress and Annual Reports which shall

be countersigned by the substantive Head of Department or by an officer to whom this function is delegated by the Head of Department. A reporting officer should be at least one substantive grade above the officer being reported on and must also be the immediate superior officer under whom the officer being reported on directly works.

Rule 06103 illustrates the reformatory intents of this measure. It requires that the substance of any adverse comment on an officer's work or conduct included in a report shall be conveyed to him in writing by the reporting HOD in sympathetic terms and with the object of enabling and encouraging him to overcome his shortcomings. The fact that this action has been taken shall be stated in the report itself. A copy of the letter addressed to the officer as well as a copy of his acknowledgement should be attached to the Report. Rule 06301 states the objective of APER as providing 'a full record of each officer's work, *conduct* and capabilities from which his suitability for promotion may be judged by the (Civil) Service Commission' (emphasis mine). It is also to enable the Commission to weigh, in connection with a particular vacancy, the merits of officers, the work he has been engaged upon and the judgement formed on that work. Moreover, it furnishes the commission with the indication of each officer's suitability for appointment to a senior grade in which he would have to perform administrative or supervisory duties. It is possible that the officer's work in the appointment which he holds gives the fullest satisfaction but that he is unsuitable for more responsible duties. The commission will need information on the officer's record or expression of opinion as to his suitability

for promotion when, by his seniority, he may be regarded as eligible to be considered for such advancement.

APER returns are required to be made on all officers at the end of each calendar year. In order to provide a full record of the work, conduct and capabilities on which to judge the suitability of an officer holding a junior post for confirmation, and to ensure that in cases where his suitability for confirmation is in doubt he is given timely warning of his fault and reasonable opportunity to correct them HODs are to arrange for progress reports on such officers to be rendered annually by responsible departmental officers.

The Reports on all eligible candidates shall be made available when Departmental Selection Boards meet to select candidates for promotion. Indeed Section 5.25 of Guidelines on Appointment, Promotion and Discipline of the Schedule of the Civil Service (Re-Organisation) Decree 1988 requires all personnel management committees to take into account the APER of each officer for the preceding three years in the service. Each APER should be summarised and the equivalent marks should be confirmed or vetted by the moderating officers and should be shown on the APER form. Section 5.28 lists criteria for promotion and their weight as follows: performance (APER) 50%, interview 30%; additional qualification/examination 15%, and seniority 5%. There is an addendum that where additional qualification or examination is not an applicable criterion, then the weight assigned to performance shall be increased by 15. Similarly, in cases where interview is not applicable, the weight for performance shall be increased

by 30. All these underscore the significance of good conduct on the part of civil servants in the discharge of their duties.

The *Civil Service Rules* affords us an insight into the ideals to which bureaucrats should aspire. It is comprehensive in scope and quite adequate, if effectively observed, to arrest the spate of misdemeanours which currently pervade the entire civil service.

4.2.3 Public Complaints Commission Decree No. 31, 1975

While recognising the problem entailed by the phenomenon of administrative power, Ladipo Adamolekun submits that every modern state has devised various methods of enforcing control over the conduct of administration. According to him, two broad categories of control measures are usually distinguished: internal and external. Internal methods of control refer to the rules and regulations that govern the day-to-day operations within governmental administrative systems. External methods of control are those imposed on an administrative system by actors who are not normally considered as part of the administrative machine.⁸ Our discussions in the last two sub-sections fall within the purview of the former. Our subsequent discussions will relate to the latter.

One major method of enforcing external control is the use of the ombudsman. The Nigerian ombudsman was established through the Public Complaints Commission Decree

⁸ Ladipo Adamolekun (1983) *Public Administration: A Nigerian and Comparative Perspective* London; Longman pp 176-177.

No 31 of 1975. The body is known as the Public Complaints Commission and headed by a Chief Commissioner appointed by the Head of State. Each state also has a commissioner. The body has its own staff. In order to guarantee independence and effectiveness of the commission, section 2(3) of the decree provides that the emoluments of officers of the commission be paid out of the consolidated Revenue Fund of the Federation. Section 4(6) of the decree also insulates the commission from the direction or control of any other person or authority. It is also the duty of any body or person required to furnish information to the commission to comply within a reasonable period of time.

The commission is granted wide powers to inquire into complaints lodged before it by members of the public concerning any administrative action taken by any Ministry or Department of the Federal or any State Government, statutory corporations, local government authorities and other public institutions and of companies whether in the public or private sector and of any official of any of these bodies. Specifically the duties of the commission as set out in section 4(2) of the decree are as follows:

A commissioner shall have power to investigate either on his own initiative or following complaints lodged before him by any other person, any administrative action taken by:

- (a) any department of any local government authority (however designated) set up in any State in the Federation;

- (b) any Department or Ministry of the Federal or any State Government;
- (c) any statutory corporation or public institution set up by any Government in Nigeria;
- (d) any company incorporated under or pursuant to the Companies Decree 1968 whether owned by any Government aforesaid or by private individuals in Nigeria or otherwise howsoever; or
- (e) any officer or servant of any of the afore-mentioned bodies.

The mandate of the commission is ensuring that 'administrative action by any person or body mentioned in subsection (2) will not result in the commitment of any act of injustice against any citizen of Nigeria or any other person resident in Nigeria'. In this vein, the commission can investigate with special care administrative acts which are or appear to be:

- (i) contrary to any law or regulation
- (ii) mistaken in law or arbitrary in the ascertainment of fact,
- (iii) unreasonable, unfair, oppressive or inconsistent with the general functions of administrative organs.
- (iv) improper in motivation or based on irrelevant considerations;
- (v) unclear or inadequately explained, or
- (vi) otherwise objectionable.

But what becomes of the outcome of the investigations of the commission? Section 6 of the decree empowers the Commissioner to recommend to the appropriate person or responsible administrative agency after the investigation of any complaints any of the following steps:

- (a) that a further consideration of the matter be made;
- (b) that a modification or cancellation of the offending administrative or other act get effected;
- (c) that an alteration of a regulation or ruling be effected;
- (d) that full reasons behind a particular administrative or other act be given.

In appropriate instances, a commissioner can refer cases where he feels that existing laws or administrative regulations or procedures are inadequate to the government or any other appropriate person or body. Similarly, where a commissioner discovers that a crime has been committed by any person, he shall report his findings to the appropriate authority or recommend that the person be persecuted. Where a commissioner thinks that the conduct of any person warrants disciplinary action, he shall make a report in that regard to the appropriate authority which shall take such further action as may be necessary in the circumstances.

4.2.4 Official Oath

The Public Service Review Commission in its 1974 Report recommended oath taking by all categories of public officials. Government accepted this recommendation and, accordingly, amended the Oath Act 1963 to effect a change in the wording of the Oaths to be taken by the various categories of officers. The oaths (Amendment) Decree No. 22 of 1976 was therefore promulgated. The decree brought new judicial, official, and armed forces oaths.

Going by the content of the oath, a civil servant is expected to be faithful and

bear true allegiance to the Federal Republic of Nigeria at all times. He is expected to refrain from discrimination whether on the basis of religion, tribe, cult, or status and shun partiality in the performance of his official duties. Thus, he is expected to always place service to the public above selfish interests since public office is a public trust.

Moreover, he is charged with the performance of his official duties diligently and efficiently and should not engage or be involved in any activity in conflict either directly or indirectly with the pledge. In the performance of his official duties, he is expected to eschew and expose corruption in any of its facets in and outside the public service. Lastly, he is expected to always follow the path of justice, honesty and concord among all Nigerians.

One noticeable defect of the enabling decree however is its failure to prescribe the administering authority, a deadline for taking the oath after joining the civil service and sanctions for non-compliance with the oath-taking requirement.

4.2.5 The Code of Conduct Bureau and Tribunal

The Code of Conduct Bureau and Code of Conduct Tribunal are twin agencies designed to, among other things, foster and enforce high ethical standards among public officers generally. The precursor of the two bodies however was the Corrupt Practices Investigation Bureau. The Corrupt Practices Decree No. 38 of 1975 had set up an autonomous Government Department known as the Corrupt Practices Investigation

Bureau with the responsibility for investigating all allegations of corruption after which reports would be submitted to the Director of Public Prosecutions responsible for prosecuting cases. Such cases would be tried by special *ad hoc* tribunal comprising a judge of the High Court and two other members, one of whom would be drawn from the armed forces.

The decree had as its objective, suppression of corrupt practices in both the public and private sectors and provided stiff penalties for any person found guilty of bribery and corruption. According to Adamolekun⁹, the Bureau's impact on reducing corruption was very limited. The Bureau was therefore transformed into Code of Conduct Bureau at the departure of the military in 1979 and enshrined in the 1979 Constitution. In spite of this, Code of Conduct Bureau and Tribunal Decree No. 1, of 1989 was promulgated. The decree established both the Code of Conduct Bureau and the Tribunal to deal with complaints of corruption by public officers and prescribes punishments for breaches of its provisions.

The Bureau consists of a chairman and ten other members who shall be men of 'unimpeachable integrity' in the Nigerian society and are appointed by the President, Commander-in-Chief of the Armed Forces. According to section 2 of the decree,

⁹ Ladipo Adamolekun (1987) 'Impact of Military Rule on Accountability in Government Administration' A.O. Sanda *et al* (eds) *The Impact of Military Rule on Nigeria's Administration* Ife, Faculty of Administration p. 242

The aims and objectives of the Bureau shall be to establish and maintain a high standard of morality in the conduct of Government business and to ensure that the actions and behaviour of public officers conform to the highest standards of public morality and accountability.

Section 3 of the decree lists the functions of the Bureau as to:

- (a) receive assets declarations by public officers in accordance with the provisions of this Decree;
- (b) examine the assets declarations and ensure that they comply with the requirements of this Decree and of any law for the time being in force;
- (c) take and retain custody of such assets declarations; and
- (d) receive complaints about non-compliance with or breach of this Decree and where the Bureau considers it necessary to do so, refer such complaints to the Code of Conduct Tribunal.

The decree stipulates the codes of conduct which public officers should observe.

For instance, a public officer is not to put himself in a position where his personal interest conflicts with his duties and responsibilities. He shall not receive or be paid the emoluments of any public office at the same time as he receives or is paid the emoluments of any other public office. Similarly, he is not to engage or participate in the management or running of any private business, profession or trade; except he is not employed on a full time basis. He is forbidden from maintaining or operating a bank account in any country outside Nigeria.

A public officer is prohibited, after his retirement from public service and while receiving pension from public funds, from accepting more than one remunerative position as chairman, director or employee of a company owned or controlled by any Government

or public authority or receive any other remuneration from public funds in addition to his pension and the emolument of one such remunerative position. A public officer should also not ask for or accept any property or benefits of any kind for himself or any other person on account of anything done or omitted to be done by him in the discharge of his duties. In this vein, the receipt by a public officer of any gifts or benefits from commercial firms, business enterprises or persons who contract with the Government shall be presumed to have been received in contravention of the provision of the decree. He is however allowed to accept personal gifts or benefits from relatives or personal friends, 'to such extent and on such occasions as are recognised by custom'.

The decree also bars members of the public from offering gratifications or inducements to public officers. Section 12 states that 'No person shall offer a public officer any property, gift, or benefit of any kind as an inducement or bribe for the granting of any favour or the discharge in his favour of the public officer's duties. The decree also forbids abuse of powers by restraining public officer from doing, or directing to be done, 'in abuse of his office, any act prejudicial to the rights of any other person, knowing that such act is unlawful or contrary to any government policy'.

Public officers are forbidden from belonging to societies whose membership is incompatible with functions or dignity of their offices. Overall, public officers are expected to declare their assets periodically. Section 15 of the decree stipulates that:

Every public officer shall, within 15 months after the

coming into force of this Decree or immediately after taking office and thereafter -

- (a) at the end of every four years;
- (b) at the end of his term of office; and
- (c) in the case of a serving officer, within thirty days of the receipt of the form from the Bureau or at such other intervals as the Bureau may specify, submit to the Bureau a written declaration in the Form prescribed. Specify, of all his properties, assets and liabilities and those of his spouse or unmarried children under the age of 21 years.

The decree takes cognisance of possible falsification of declarations. Hence it declares that 'Any statement in any declaration that is found to be false by any authority or person authorised in that behalf to verify it shall be deemed to be a breach of this Decree'. It also stipulates that 'Any property or assets acquired by a public officer after any declaration required... and which is not fairly attributable to income, gifts or loan approved by this Decree shall be deemed to have been acquired in breach of this Decree unless the contrary is proved'. A public officer who does any act prohibited by the Decree through a nominee, trustee or other agent shall be deemed to have *ipso facto* contravened the Decree. Complaints of breach or non-compliance with the provision of the Decree are to be made to the Bureau.

In order to enforce the provisions of the Decree, it establishes a tribunal, the Code of Conduct Tribunal. Its membership consists of a chairman and four others. The Chairman is a person who has held or is qualified to hold office as a judge of a superior

court of record in Nigeria. The members, including the chairman, are appointed by the President. The chairman and members, once appointed, cannot be removed from office except on ground of inability to discharge the functions of the office in question.

The Tribunal is empowered to impose upon a public officer found guilty of contravening any of the provisions of the Decree any of the following punishments:

- (a) vacation of office or any elective or nominated office, as the case may be;
- (b) disqualification from holding of any public office (whether elective or not) for a period not exceeding 10 years; and
- (c) seizure and forfeiture to the state of any property acquired in abuse or corruption of office.

These punishments are without prejudice to other penalties that may be imposed by any law where the breach of conduct is also a criminal offence under the Criminal Code or any other law. A party has a right to appeal to the Court of Appeal. To give further force to the provision of the Decree, a public officer convicted under the Decree cannot benefit from the provisions of the constitution of the Federal Republic of Nigeria in respect of prerogative of mercy. It is noteworthy that the Decree defines public officers to include, among others, 'Secretary to the Government, Head of the Civil Service, Permanent Secretaries or Directors-General and all other persons in the civil service of the Federation or of the States'.

4.3 Postscript

At the beginning of this chapter, we emphasised the importance of scrutinising institutional arrangements in existence for guiding administrative conduct. The reason is that as the *FDA Report* rightly noted, 'In a civil service with no explicit code of conduct or recognized standards, there would not even be any formal rules by which they must seek to justify their conduct'. Nevertheless, an exclusive focus on institutional contrivances in explaining political or administrative behaviour is bound to be unhelpful. The reason is that institutional analysis has built-in analytical and methodological weaknesses.

One shortcoming according to Eisenstadt is that the analysis tends to assume that specific needs of different groups are articulated within a society and that such needs must be fulfilled. Unfortunately, the analysis fails to investigate the degree to which they are satisfied and the conditions that facilitate or impede satisfaction. Most of these explanations lack full explication of the different possibilities or alternative solutions to the problems or needs which are generated in a given society and of the conditions under which any single solution tends to develop.

Secondly, most of the analyses do not specify the ways in which both such needs and their relations to various structural arrangements may change. They usually assume that the same conditions which explain the initial development or crystallization of a given institutional pattern also necessarily explain its continuity. Hence, most of these

analyses do not deal explicitly with the processes of change of institutions, especially the way in which a given institutional arrangement may become defunct.

Indeed, Machiavelli's caution is instructive at this juncture. J. Patrick Dobel quotes him as saying that:

there's such a difference between the way we really live and the way we ought to live that the man who neglects the real to study the ideal will learn how to accomplish his ruin, not his salvation.¹⁰

The point being made here can be illustrated with evidence from Nigeria. According to Adamolekun,

the totality of the internal methods of ensuring administrative responsibility within the inherited career civil service have remained unchanged since independence. These methods include the *Civil Service Rules*, the hierarchical structure of the governmental bureaucracy and the financial memoranda, instructions and circulars.¹¹

The consequence of this situation was that the internal methods that are expected to help keep civil servants accountable to the public have proved most ineffective. For instance, the ethical standards of behaviour spelt out in the *Civil Service Rules* are never respected. Furthermore, the hierarchical structure of the service which, among other

¹⁰ cf Patrick J. Dobel (1990) 'Integrity in the Public Service' *Public Administration Review* May/June p. 361.

¹¹ Adamolekun, *op cit* p. 238

things, was intended to ensure effective leadership and maintain discipline have not achieved these objectives. Above all, the financial memoranda, instructions and circulars which should ensure regularity in financial practice are consistently ignored, with the result that financial mismanagement assume great proportions.

Thus, in spite of the comprehensive scope of the various rules and legislations in existence for upholding high ethical standards among the Nigerian Civil servants, bureaucratic morality is at its lowest ebb. This compels us to look for explanations beyond institutional arrangements and examine ecological factors. This is done in the next chapter.

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CHAPTER FIVE

ENVIRONMENT OF BUREAUCRATIC MORALITY: THE STATE,
POLITICAL PROCESS AND THE CONDUCT OF PUBLIC
ADMINISTRATION IN NIGERIA

5.1 The Ecology of Administrative Conduct

The civil service operates neither in a vacuum nor in isolation. It is organically linked with other component structures in the society. As William Armstrong rightly notes, the civil service is only one of public sector services whose tasks are intricately interwoven that when one starts by talking of objectives, one must make the whole public sector as the map, and try to shade in the parts where the activities are those of the civil service.¹ Ferrel Heady's illustration of the place of the bureaucracy in the society is instructive:

The environment of bureaucracy may be visualized as a series of concentric circles, with bureaucracy at the centre. We may visualize the largest circle as representing all of the society or the general social system. The next circle represents the economic system or the economic aspects of the social system. The inner circle is the political system; it encloses the administrative sub-system and bureaucracy

¹ William Armstrong (1969) 'The Tasks of the Civil Service' *Public Administration* Vol 47
p.4

as one of its elements.²

Fred Rigg defines the administrative system in terms of 'input' of goals, resources, and demands resulting in an 'output' of related goods, services, and regulative acts.³ Thus, if we consider administration as a subsystem, as part of a large social system, then its 'outputs' may be viewed as 'inputs' for the bigger system. As such, maintaining the peace or building roads or defending the country may be outcome of administrative action (outputs) which serve the survival needs (inputs) of a social order. Seen in this light, administrative subsystem may be understood, not in terms of its internal arrangements and relationships, but in terms of its interaction with the external, non-administrative subsystems of the same society. In other words, an alternative way of characterizing an administrative system is by inclining the environment which gives it form instead of outlining its component structures.

What the foregoing suggests is that no adequate understanding of the performance of a structure can be made without recourse to environmental factors. Indeed, F.G. Bailey provides a lucid explanation on the impact of the environment on political structures. He begins with the assertion that it is easy to see how political structures are

² Ferrel Heady (1966) *Public Administration and Public Affairs* New Jersey; Prentice-Hall p. 72.

³ Fred W. Rigg (1964) *Administration in Developing Countries: The Theory of Prismatic Societies* Boston; Houghton Mifflin p. 19

connected with an environment if the structures are stated in terms of roles.⁴ He defines structure as a set of rules about behaviour. The rules lists the rights and duties of particular roles; they say what a king, a subject, a judge, a voter, a party leader, a village headman etc. is expected to do in that particular capacity and what he may expect others to do for him. Similarly, Rigg defines a structure as 'any pattern of behaviour which has become a standard feature of a social system. Thus, a government bureau is a 'structure' or rather a whole set of structures consisting of the many things the officials in the bureau do regularly: the decisions they make, the people they see, the papers they sign. The structure is not composed of the people and things themselves, but of their actions. It does not include all their actions, but only those actions which relate to the goals and work of the bureau.

But an individual is likely to have many roles: the village headman may also be a father, a brother, a farmer, a priest in the temple, and a part-time trader. At the very least all these different roles compete for a man's time and energy; they may also directly influence his political behaviour. In effect, in the words of Bailey, the 'environment both provides resources for political use and puts constraints upon political behaviour'. All political structures contain rules, both normative and pragmatic, which attempt to shield them from an excess of demands from the environment. Atimes they rule particular

⁴ F.G. Bailey (1970) *Stratagems and Spoils* Oxford; Basil Blackwell p. 10

issues out of the political field.

But what is the relationship between a political structure and the environment within which it is embedded? Bailey mordantly argues that

The political structure interacts with its environment: the arrows of causation point in both directions... But, in turn, the political structure (that is to say, the people who compete in this structure) may change the rules or device new ones to control the disease or to modify whatever else it is in their environment that is threatening the continuation of their regime. The modified environment in its turn will react upon the political structure: and so on until some kind of stability is reached or until that structure... is abandoned as beyond repair, and a new structure takes its place.⁵

The process by which a structure adjusts itself to changes in the environment, or modifies the environment to suit itself, is called maintenance. In anthropological literature the idea of maintenance is conveyed through the term 'equilibrium', the metaphor being that of a disturbance throwing the structure off balance, redressive devices being brought into play, and the structure being balanced again at a point of equilibrium. This kind of analysis does not overlook preventive action (structural modifications) to close off the source of disturbance, and, as in the analysis of a structure and its environment,

⁵ Baily, *Ibid* p. 11

equilibrium analysis allows the arrow of causation to run both ways.

In summary, our understanding of the performance of a political structure can only be enhanced if situated within the larger context. Political structures must achieve some kind of balance with other social structures and must not get in the way of, for instance making a living or must not in other ways jeopardize human survival. Political actors have other roles - religious, economic, familial and so forth - and a set of political rules which too much inhibits the performance of these other structures - form the environment of a political structure. According to Bailey, they are 'at once a constraint upon and a resource for the political actor'. Beyond them are the other structures which are not part of the culture and the society but of the natural world: demography, the physical environment, etc. These too are constraints upon the resources for the politician. Both kinds of environment, the social and the non-social, have a two-way causal relationship with the political structure. When they change they can change it: in the same vein, the political structure can modify its environment. He concludes with the assertion that to 'understand a political system is to construct verifiable hypotheses about the mutual dependence of a political structure and its environment.'⁶

Against this backdrop, the administrative machine of a country and the conduct therein can only be understood with recourse to environmental factors. In any case,

⁶ *Ibid* p. 17

administrative ethics has already been operationalized as 'moral standards in official work *within the context of a specific political environment*'. According to Willa Bruce, 'public managers' behaviour is a part of, and influenced by the political milieu'.⁷ Dwivedi and Jain collaborate this position by asserting that 'bureaucratic morality mirrors the political morality. One cannot, therefore, expect to have a clean administration if a country's leaders and politicians are themselves not free from corrupt practices'.⁸ Overall, the logic of combining institutional analysis with systemic perspective in understanding administrative conduct finds effective summary in Rigg's valid observation that as long as formal institutions (practices prescribed by law, public authority, or general consensus) are realistic, one may safely infer actual practice from examination of formal prescriptions. In other words, the value of institutional analysis is greater whenever there is a high degree of congruence or mutual reinforcement of 'formal' and 'informal' patterns of organizational behaviour, and when structures are functionally specific. Rigg believes that this kind of situation may not be attainable in transitional societies. In such contexts, a high degree of formalism, resulting from overlapping of institutions and great social heterogeneity, results in striking incongruence between formally prescribed

⁷ Willa Bruce (1995) 'Ideals and Conventions...' *Public Administration Review* Jan/Feb Vol 55 No. 1 p 114

⁸ O.P. Dwivedi and R.B. Jain (1988) 'Bureaucratic Morality in India' *International Political Science Review* Vol 9 No 3 p. 207

institutions and actual, informal behaviour. Under these circumstances institutional or structural analysis is likely to produce disappointing results. What might normally be expected to result from a particular administrative system or organizational pattern fails to appear.

5.2 The Ecology-Administrative Conduct Nexus in Nigeria

A discussion on Nigeria's political environment is more rewarding if it starts from the general and ends up with the specific. In other words, since Nigeria belongs to the category of the third world countries and more specifically, the African continent, its character can be better gleaned from the properties of this group of states. Such a perspective will not only illuminate but will as well set the tone for our analysis of the specific Nigerian context. According to Richard Hodder-Williams, there are fundamental differences between the 'developed, industrialised and long-established states, on the one hand, and the less-developed, agriculturally dominated and new states of Africa on the other'.⁹ He contends further that many of these stem from the very different political environment in which government operates. He itemises the features of Africa's political environment as its general poverty and its paucity of resources, both human and materials; the survival to some extent of a system of social differentiation based upon

⁹ Richard Hodder-Williams (1984) *An Introduction to the Politics of Tropical Africa* London; George Allen and Unwin p. 89.

linguistic particularism; and a political culture which stresses the instrumental purposes of political action. These outlines are now discussed in full.

In the first instance, the sad reality for virtually all of Africa is that it is poor, both absolutely and relatively to the Americas, Europe, the Middle East, Australasia and parts of Asia. According to Hodder-Williams, on practically every index of affluence, the African countries fall a long, long way behind the states of Western Europe. Mostly, the soils are infertile, there are few waterways to carry commerce or ideas while the rainfall is erratic. In the same vein, the non-agricultural resources of the continent are unequally distributed and are disproportionately located in the Southern tip. The mineral resources in these countries combined together are insignificant on a world scale. However, oil has become a significant factor in the economies of several West African States. Overall however, African countries rely overwhelmingly on their agriculture to generate wealth and on peasant producers to grow the crops for home consumption and export sales.

The poverty is also conspicuous at human level. There is a shortage of skilled administrators, technicians and professionals. Hence, the capacity to administer the state, to oversee the nationalised industries and parastatal organisation which so dominate the national economies, and to mediate between competing claims for government assistance is limited.

The second feature is the extractive view of politics. According to Hodder-

Williams, poverty generates considerable political activity and conflict. In poor countries, even the smallest advantage is to be sought with vigour and preserved with effort. In the developed world there is a general expectation that the national wealth is growing sufficiently fast for all to benefit, although the exact amount of benefit is unlikely to be equal. At least, one person's gain would not be another's loss. However, in Africa there is a widely held assumption that politics is a zero-sum game in which the available pool of resources is strictly limited. Small benefits are of extreme importance - the siting of a water pump in a village to save the women perhaps three or four hours walking to collect only limited supplies of water for example and the belief that advantages must be fought for, lest another village or group gain them, leads to a singularly intense view of politics.

The point being made here is that access to government is of central importance. The state dominates the job market, is deeply involved in most economic activities and commands control over an extremely wide range of goods and services, as well as badges of status. The lack of a developed indigenous private sector, of entrenched pressure groups and of secondary organisations results in the 'monopolistic' state. Countervailing sources of power tend to be found only in the transnational business and foreign aid agencies. Unlike in the United States where the friction between groups could be eased by the abundance of wealth available for distribution and by the multiplicity of social organisations in which individuals could earn status and power, Africa lacks both. The

consequence is that in Africa, politics has become an activity of extreme importance in which failure could be economically disastrous and success economically rewarding.

Stemming from the foregoing, politicians in Africa have tended to use control of the governmental machinery to preserve their positions of power at all costs. For, in the Western, industrialised world the loss of office is followed more often by offers of lucrative and highly regarded jobs than by the ignominy of enforced unemployment. Due to the lack of alternative positions in most of Africa the fear of losing power is very real. As a matter of fact, there are positive advantages to be gained by winning power just as real disadvantages are feared if power is lost. This tendency to plunder the governmental machine to accumulate riches is widespread, and according to Hodder-Williams, is most common in West Africa.

The use of political power for private ends is explained by 'extractive view of politics' which is said to be an important strand in almost all contemporary African political cultures. The dominant assumptions underpinning political actions are instrumental rather than programmatic. This attitude however is not found among the elite only. It pervades the entire citizenry. Hodder-Williams quotes Post and Vickers as asserting that 'The dominant concern of the vast majority of participants in politics at all levels was the receipt of the largest possible share of benefits in the shortest period of time'. In effect, the development of patron-client networks through which so much political activity in the continent is structured, is based on reciprocity; the peasant farmer

trading wanted votes for access to government. While choosing candidates, local activists have tended to prefer people who are likely to have the skills and contacts to impress the central government and abstract resources, however meagre, from them.

The task of the ordinary politicians therefore, comes increasingly to be seen as an entrepreneurial one, a broker between the 'masses' and the government. In the final analysis, the immediacy of needs, the ubiquitous presence of government and the emphasis of majority rule over minority rights have all strengthened the tendencies towards an extractive view of politics. Apart from these however, two other factors have been identified. Imperial rule was distant and bureaucratic. Individuals approached the government not as an institution whose from and politics they had taken some small part in affecting but as a source of rewards and punishments. It is not owed any commitment; no sense of its own problems of ordering priorities is considered. The government is there to be used, to be manipulated or hoodwinked, so that advantage may accrue to the supplicant. Secondly, the rights and obligations of the extended family does not end with a man's election to a position of authority. Contrarily, they are felt all the more keenly. Those who gain office often find themselves besieged by relations and friends of relations expecting benefits for, just as blood links helped to cushion adversity, they would also be expected to confer advantages. To have a family member in local government or in a ministry is seen as a benefit.

There is a caveat to this position however. Even though the extractive view of

politics is understandable and widespread, it is by no means universal. There are still many selfless men and women working hard for pitifully small rewards, taking decisions in a fair minded and responsible way and resisting the importunities of friends and relations. There are activists whose ideological commitments force them to adopt unpopular positions and to stand on principle; their access to the wielders of power is usually slight. However, there are too many pressures which make it difficult to ignore an extractive view of politics.

The third feature is tribalism. Tribalism has been constructed as the political practices of those who categorise all people according to their tribe and evaluate them, usually negatively, exclusively in terms of tribes. Tribal loyalty becomes the primary political virtue and political reality, so that in all conflictual situations a person's behaviour is dictated by considerations of tribal unity. Many people would however prefer the term ethnicity to tribalism as the latter is said to be atavistic.

The bottomline however is that there are real entities called tribes, or ethnic groups, which have a life, and dynamic of their own stretching back into the pre-imperial past. However it has been established that many contemporary tribes are the creations of imperial rule and not natural social organisations. The enlargement of scale typified by the establishment of colonial states brought the peoples of Africa into context with a much wider range of outsiders than had been the case before, a development which necessitated for all peoples a heightened sense of personal identity. In other words tribal

identification emerged primarily in a town when men encountered people with different languages, customs and beliefs. To deal with other groups, social categories or labels were utilised. Even though migration and inter marriage throughout the continent have manifestly reduced the number of 'pure' members of a tribe, nevertheless, there is no escaping the fact that the vast majority of Africa are able not only to identify their own tribe but also to allocate fellow nationals to their tribes with an uncanny accuracy. Thus, tribes are inescapably part of the contemporary reality

To identify oneself or others as member of tribe is not to make this identification the primary let alone the natural, motive for political action. For, every individual is involved in several 'circles of identity.' What determines which 'circle of identity' predominates is the specific characteristics of each individual situation. Political behaviour is therefore dependent at different times on the saliency of different identities. Thus, workers exemplify a degree of class consciousness in their dealings with management but are influenced by tribal factors in their selection of workers' representatives. Tribe assumes a relevant differentiating category when there is a situation of competition.

In concluding however, Hodder-Williams is quick to point out that these features are not unique to Africa. The reason is that the developed world is not without its instrumental political actors, ethnic loyalties, or corrupt politicians. The point however is that what distinguishes the politics of most of tropical Africa is the saliency of these

factors rather than their unique characteristics. Their combination creates a political environment in which government leaders and officials have to operate which is remarkably different from that familiar to their western counterparts. These factors work themselves out in the institutional arrangements establishing the form and processes of national governments, and, to a large extent explain the difficulties African states encounter in establishing enduring political structures which also appear legitimate to the people of Africa.

We have outlined the contours of the political environment in Africa. It however behoves us to demonstrate explicitly how this impacts on administrative conduct. Hodder-Williams captures the situation appropriately in his submission that 'The extractive view of politics is one factor which enhances the likelihood of individuals using public office for private gain'. He cites some instances. For example in Ghana under Nkrumah, a kickback of from 5 to 10 per cent was expected in return for getting government contracts or an import licence from the Ministry of Trade while the Convention People's Party used the state-run cocoa purchasing company to provide loans and other favours for party supporters. Similarly in Nigeria, members of parastatal organisations were appointed 'as a matter of political party patronage' and tended to place politics before the interests of the corporations they served'. The outcome is that there are two different types of behaviour which violate the Western bureaucratic norms that officials' decisions should be governed by fixed rules or by the interests of the organisation, rather than by

personal whim and party wishes, Such behaviour is sometimes not regarded as misuse of the office, and hence corrupt, as long as the prevalent expectations of how the office should be discharged have not been violated. An extractive view of politics makes it easier for official to behave in this way for it is widely expected and indeed encouraged, to happen working in the opposite directions is the still strong tradition of bureaucratic impartiality and the philosophy of service. Africans see this sort of behaviour about them and they know it is corrupt and to be deplored.

This is not all. A number of other reasons have also been advanced. For instance, some people have argued that social norms are largely responsible. Hodder-Williams quotes David Apter as asserting that even though nepotism is considered a grave offence in Western bureaucratic practice, nevertheless in African practice, providing jobs for the members of one's family is socially compulsory. As such, the pressures on individuals from relatives is very great and it is extremely hurtful for most Africans to ignore that sense of mutual obligation which seems one of the few uniquely African characteristics worthy of cherishing in an environment overwhelmingly dominated by Western values. According to Hodder-Williams;

There is little doubt that the basic assumption of the industrialised world's bureaucracies - professionalism, impartiality, rationality - are not widely internalised in the Third World. The syncretic nature of adaptation to involvement in the world system permeates administrations

as all other facets of political life.¹⁰

According to Dele Olowu, those bureaucratic norms which have been undermined in Africa cluster around four major issues:

- (a) self-interested rather than impersonal service (including favouritism to special groups and primordial loyalties as well as other conflict-of-interest situations);
- (b) politicization of the bureaucracy - with nepotism, ethnic balancing and political loyalty displacing merit as defined by academic and professional qualifications;
- (c) conversion of state property to party or personal use; and
- (d) overall slackness and laxity in public service organizations and operations¹¹

Olowu is however quick to point out that instances of bureaucratic corruption are not peculiar to African countries. They are only remarkable in Africa in terms of their higher degree of occurrence than in most other countries. A pertinent question at this juncture therefore is what accounts for this prevalence of low bureaucratic morality in Africa? A useful insight into this problem can be gleaned from Peter Ekeh's theoretical postulation on the colonialism and social structure in Africa. According to Ekeh, such establishments

¹⁰ *Ibid*

¹¹ Dele Olowu (1988) 'Bureaucratic Morality in Africa' *International Political Science Review* Vol 9 No. 3 p. 218

as bureaucracy and elected parliaments; such constructs as democracy and the rule of law; and such institutions as universities and national statehood and many more imported models to the colonial situations formed the core of migrated social structures. These were brought wholesale from Europe while they acquired their own life-world. Ekeh further argues that while the European components of these social structures are their core, they have acquired textures and variations in form that make them peculiarly African. Ekeh is forceful in his argument that:

the European organizational pieces that came to us were virtually disembodied of their moral contents, of their substratum of implicating ethics. And yet the imported models were never engrafted onto any existing indigenous morality. The morality and ethics that provide for self-sustained refinement and expansion are absent from our migrated social structures.¹²

This explanation finds amplification in Ekeh's earlier essay. According to him, the experiences of colonialism in Africa have led to emergence of a unique historical configuration in modern post-colonial Africa: the existence of two publics instead of one public as in the West. He attributes many of Africa's political problems to the dialectical relationships between the two publics. In the western world, the private realm and the public realm have a common moral foundation. Generalized morality in society informs both the private realm and the public realm. This means that, what is considered morally

¹² Peter Ekeh (1980) *Colonialism and Social Structure* Ibadan University Press p. 17

wrong in the private realm is also considered morally wrong in the public realm. In the same vein, what is considered morally right in the private realm is also considered morally right in the public realm.

In contrast, when one moves across western society to Africa, at least, one sees that the total extension of the western conception of politics in terms of a monolithic public realm morally bound to the private realm can only be made at conceptual and theoretical peril. There is a private realm in Africa. However, this private realm is differentially associated with the public realm in terms of morality. As a matter of fact there are two public realms in post-colonial Africa, with different types of moral linkages to the private realm. At one level is the public realm in which primordial groupings, ties, and sentiments influence and determine the individual's public behaviour. Ekeh refers to this as the primordial public because it is closely identified with primordial groupings, sentiments, and activities, which nevertheless impinge on the public interest. The primordial public is moral and operates on the same moral imperatives as the private realm.

On the other hand, there is a public realm which is historically associated with the colonial administration and which has become identified with popular politics in post-colonial Africa. It is based on civil structures: the military, the civil service, the police, etc. Its chief characteristic is that it has no moral linkages with the private realm. Ekeh calls this the civic public. The civic public in Africa is amoral and lacks the generalized

moral imperatives operative in the private realms and in the primordial public. The most salient feature of African politics is that the same political actors simultaneously operate in the primordial and the civic publics. Ekeh observes that the 'dialectical relationship between the two publics foments the unique political issues that have come to characterize African politics'.¹³

He explains how this is the case. Most educated Africans are citizens of the two publics in the same society. On the one hand, they belong to a civic public from which they gain materially but to which they give only grudgingly. On the other hand, they belong to a primordial public from which they derive little or no material benefits but to which they are expected to give generously and do give materially. To complicate matters, their relationship to the primordial public is moral, while that to the civic public is amoral. The dialectical tensions and confrontations between these two publics constitute the uniqueness of modern African politics.

A good citizen of the primordial public gives out and asks for nothing in return; a lucky citizen of the civic public gains from the civic public but enjoys escaping giving anything in return whenever he can. However, such a lucky man would not be a good man should he choose to channel all his lucky gains to his private purse. He only continues to be a good man if he channels part of the largesse from the civic public to

¹³ Peter Ekeh (1975) 'Colonialism and the two Publics in Africa: A Theoretical Statement' *Comparative Studies in Society and History* Vol 17 p. 93

the primordial public. This is the logic of the dialectics. The unwritten law of the dialectics is that it is legitimate to rob the civic public in order to strengthen the primordial public. One consequence of the inevitable confrontation between the two publics is corruption.

Indeed, Ekeh describes corruption as the acme of the dialectics. He argues that corruption arises directly from the amorality of the civic public and the legitimation of the need to seize largesse from the civic public to benefit the primordial public. There are two forms of corruption that are associated with the dialectics. The first is what is regarded as embezzlement of funds from the civic public, from the government, to be more specific. The second is the solicitation and acceptance of bribes from individuals seeking services provided by the civic public by those who administer these services. Both carry little moral sanction and may well receive great moral approbation from members of one's primordial public. On the contrary, however, these forms of corruption are completely absent in the primordial public. It is a strange phenomenon for an African to demand bribes from individuals or who engages in embezzlement in the performance of his duties to his primordial public. On the other hand he may risk serious sanctions from members of his own primordial public if he seeks to extend the honesty and integrity with which he performs his duties in the primordial public to his duties in the civic public by employing universalistic criteria of impartiality.

This differentiated attitude extend to African habits of work. Africans are

extremely hard-working in the primordial public, as anyone familiar with the operation of ethnic association will testify to. The man-hours spent in the service of the primordial public are enormous - but it would be profane to count and emphasise them, such is their moral character. On the other hand, Africans are not hard-working in matters related to the civic public. At least one does not feel guilty if one wastes one's time in the service of the civic public. The same individual would be terribly embarrassed should he waste time or make claims for work he has not done in the primordial public. It is a familiar thing for some individuals to treat their duties in the civic public as an opportunity for rest in preparation for their tougher assignments in the primordial realm.

But how well does the foregoing general African picture fit into the specific Nigerian situation? Save for some contextual details which will be highlighted in due course, there is almost a one-to-one correspondence between the two. Our guide is Richard Joseph. For him, two fundamental elements of the socio-political system which affect and often determine the allocation of public goods in Nigeria are the phenomena of clientelism and prebendalism. The framework of clientelism postulates that an individual seeks out patron as he or she moves upward socially and materially; such individuals also come to accept ties of solidarity from their own clients which they view as fundamental to the latter's security and continued advancement as well as their own. Therefore clientelism is the very channel through which one joins the dominant class and a practice which is then seen as fundamental to the continued enjoyment of the

perquisites of that class.

Joseph further draws a parallel between the Nigerian state and that in most developing countries which are minimally industrialized and which the majority of the population is tied to agrarian pursuits often of marginal or precarious profitability. The state enjoys a pre-eminent position and access to the state remains disproportionately important in the struggle for resources for upward mobility. The form of politics which operates at all levels - irrespective of the regime in power- is described as 'prebendal politics'. A prebend' is defined as an office of state, which an individual procures either through examinations or as a reward for loyal service to a lord or ruler. For Joseph:

The peculiar political and economic conditions of the post-colonial world have contributed to the entrenchment of a form of state organisation, and of attitudes regarding the uses of state office, which are pre-modern. Instead of the constitutional and legal systems, as well as the stated impersonal norms, determining the form of this state organization, such legal-rational features largely serve to camouflage extensive prebendal practices.¹⁴

Joseph contends that clientelism and prebendalism are two of the fundamental principles of political organisation and behaviour in Nigeria. An individual seeks the support and protection of an oga or a 'godfather', while trying to acquire the basic social and material goods - loans, scholarships, licences, plots of urban land, employment,

¹⁴ Richard A. Joseph (1991) *Democracy and Prebendal Politics in Nigeria* Ibadan; Spectrum p. 56

promotion - and the main resource of the patron in meeting these requisites is quite literally a piece of the state. The expansion of petroleum production in Nigeria, which amounts in year of high output to 85-90 per cent of state revenues, heightens the centrality of the state as the locus of the struggle for resources for personal advancement and group security.

The existence of a prebendalized state, and the easy adaptation of traditional patron-client relationships to the pursuit of modern material goods, means that these two features of the system - prebendalism and clientelism - are mutually reinforcing. Administrative appointments under a military system also involve the distribution of prebends, since there is hardly any real change in the socio-economic system with the intervention of soldiers in politics. In a nutshell, prebendalism is hinged on certain crucial observations regarding the treatment of state power as congeries of offices which can be competed for, appropriated and then administered for the benefit of individual occupants and their support groups. A prebendal system is not only one in which the office of a state are allocated and then exploited as benefices by the office holders, but also one where such a practice is legitimated by a set of political norms according to which the appropriation of such offices is not just an act of individual greed or ambition but concurrently the satisfaction of the short-term objectives of subset of the general population.

But how do civil servants fit into this picture? Joseph's remarks are very useful:

... the public sector (is) woefully inefficient and susceptible to being manipulated for corrupt purposes. From being expert managers of the state apparatus during the secessionist crisis, higher civil servants became superintendents of an 'overloaded state' which had expanded without a concurrent ideological justification for its enhanced role. These bureaucrats (are) increasingly subject to corrupt inducements from home and abroad (facilitated by their own diminishing moral constraints). In sum, they came to reflect in their behaviour the ideological weakness of a... regime which had never risen to the challenge of using its autonomous power to make radical changes in the economic realm.¹⁵

In any case, this cannot but be the outcome since the procedure for recruitment into the civil service is prebendalised. As Joseph notes, advancement by merit and appointment on the basis of academic and technical qualifications are elements of the rational-legal bureaucracy as conceptualized by Weber. However, the desire for a meritocratic service in Nigeria, and the pressure for direct and equitable representation of the country's component groups within the state administration cannot be fully harmonized. One or the other of these values has to give way, and to a large extent, it turned out to be the former.

A systemic perspective, as insightful as it is, is not a catch-all explanation for any social event. Its omnibus character severely limits its utility. This necessitates that for us to transcend a partial explanation of administrative conduct in Nigeria, we need to

¹⁵ *Ibid* p. 83

complement the systemic view with a focus on sub-systemic factors. Ernest Griffith underscores the significance of this approach when he contends that:

he who would understand the prevailing pattern of ... governmental behaviours, instead of studying the formal institutions or even generalisations or organs, important though all these things are, may possibly obtain a better picture of the way things really happen if he would study.. "whirlpools' of special social interests and problems.¹⁶

It is therefore imperative to examine the objective material condition in which Nigerian civil servants live. As a matter of course, wages are crucial for the sustenance of workers. According to Yusuf Bangura, beginning from 1981, all wage incomes in the public sector in Nigeria collapsed. Okwudiba Nnoli is more explicit. He explained that members of the salariat class

have never had enough wages. Their wages have always lagged behind what is needed to sustain a minimum level of existence. Each increase in wages has been attended by an increase in the cost of living that literally wipes out the benefits of the increase in wages... Even during the period of the oil boom, workers' wages were not adequate for their subsistence. The situation has greatly worsened with the prevailing economic crisis. While wages were frozen

¹⁶ cf James Anderson (1975) *Public Policy-Making* New York; Robert E. Krieger

for a long time prices kept rocketing.¹⁷

The Nigerian economy staggered into profound crisis in the early 1980s first in the form of a balance of payments problem and subsequently as a major economic recession affecting critical production sectors. This crisis and the restructuring programmes that accompanied it were to negatively affect the fortunes of all salary-earners especially those in the public sector.

Following Bangura, the crisis itself was primarily due to four inter-related factors. The first was the contraction in the price of oil and the effects it had on federal oil revenues which by the mid-1970s accounted for 90% of export earnings and 95% of public expenditure. The second was the overly import-dependent structure of the industrial and modern agricultural sectors. The third was the pursuit of a set of state policies that led to distortions to the economy, particularly in the areas of exchange rate management and income distribution, encouraging an unbridled importation of food and other types of commodities and undermining agricultural production. Lastly, there was the intensification of competition by self-serving politicians, business groups, bureaucrats and military officers for the oil revenues, which had risen sharply during the first year of civil rule. Budgetary controls and regulations became further eroded, a culture of

¹⁷ Okwudiba Nnoli (1993) *Dead-end to Nigerian Development* Dakar; CODESRIA Books pp. 163-164

making 'fast money' through lobbying for state contracts without actually delivering the service became firmly enthroned, and various illegal and corrupt devices were developed by these groups to transfer huge amounts of money overseas.¹⁸

Efforts to revamp the economy culminated in the adoption of the Structural Adjustment Programme (SAP) which brought on its heels untold hardship to the citizenry, the public service employees being the worst-hit. Attendant to this decline in the quality of living standard are low work ethics among public officials. Every occasion is seized by government officials for the purposes of extortion. Related to this practice of extortion is the rampant and escalating corruption in the country. Government posts are everywhere regarded as sources of wealth, essentially because of the opportunities which they offer for corruption. Every official position is therefore subjected to abuse. Civil servants who have no access to public fund also devise their own strategies. More often than not, they abandon their duty posts to embark on other petty engagements to augment their official incomes. Truancy becomes the order of the day and in many respects, there is a working understanding among colleagues in offices on rotational arrangements of coming to work. In other words, a civil servant hardly goes to work for five days a week as officially stipulated. Colin Leys aptly summarises what obtains in such a situation. He avers that the incentive to corrupt whatever official purposes

¹⁸ Yusuf Bangura (1994) *Intellectuals, Economic Reform and Social Change* Dakar; CODESRIA Monograph Series p. 18

public institutions are agreed to have is especially great in conditions of extreme inequality and considerable absolute poverty. The benefits of holding an office (any office) are relatively enormous. In contrast, the penalties for attempting to obtain one by bribery are fairly modest, in relation to the pressure of relatives' claims on his existing standard of living. On a general note therefore, corruption seems likely to be inseparable from great inequality.¹⁹

He buttresses his assertion with a reference to the English scene in the early nineteenth century. At that point in English history, exacting civil service jobs were not paid enough to induce anyone competent to occupy them. Consequently, they were made attractive only by perquisites.

¹⁹ Colin Leys (1965) 'What is the Problem About Corruption?' *The Journal of Modern African Studies*. Vol 3 No. 2 p. 225

CHAPTER SIX**ANALYSIS AND DISCUSSION OF FINDINGS**

As stated in chapter one, part of the research design necessitated a field work. A questionnaire was designed and administered on senior civil servants. The intention is to obtain information from the subjects on issues that touch on professional standards in the civil service. In all, eighteen (18) federal ministries are covered. These are Mines and Power, Communications, Information and Culture, Education, Health and Human Services, Works and Housing, National Planning, Water Resources, Establishment and Management Services; Finance, Aviation, Petroleum Resources, Commerce and Tourism, Industry, Agriculture and Solid Minerals Development. Within each ministry, all the departments are covered. In line with the provisions of section III(a) of the 1988 Civil Service Reforms, each ministry has eight departments - Personnel Management; Finance and Supplies; Planning, Research and Statistics; and other five 'Operations' departments reflecting the basic functions and areas of concern of that ministry with appropriate functional nomenclatures.

A total 450 copies of the questionnaire was produced and administered out of which 300 usable copies were retrieved. But how is this figure arrived at? The study takes a guide from Francis C. Dane's observation that

The sample size in survey research is generally large, although it is not possible to provide an exact range. A survey research project may include as few as 100

participants or as many as 250 million.¹

The following results were obtained.

6.1 Socio-Demographic Profile of the Subjects

Out of the 300 respondents, 207 (70.2%) are males while the rest 87 (29.5%) are females. The remaining 6(0.3%) do not indicate their sex. Table 1 below shows the age distribution of the respondents.

Table 1: Age Distribution of Respondents

	Frequency	Percent
25-30	21	7.0
31-35	60	20.0
36-40	87	29.0
41-45	51	17.0
46-50	35	11.7
Above 51	20	6.7
Missing Value	25	8.5

Table 2: Marital Status of Respondents

	Frequency	Percent
Married	239	79.7
Single	33	11.0
Divorced	7	2.3
Widowed	5	1.7
Missing Value	11	3.7

¹ Francis C. Dane (1990) *Research Methods California*; Brooks Cole Publishing Coy p. 120

Table 3: Educational Level of Respondents

	Frequency	Percent
Certificate	70	22.8
1st Degree	155	50.5
2nd Degree	44	14.3
Ph.D	5	1.6
Missing Value	7	2.3

Table 4: Income Level of Respondents

	Frequency	Percent
GL 08	55	17.9
GL 09	7	2.3
GL 10	52	16.9
GL 12	68	22.1
GL 13	25	8.1
GL 14	14	4.6
GL 15	5	1.6
GL 16	2	0.7
Missing Value	61	19.9

6.2 Moral Disposition of Civil Servants

Perceptions of our respondents indicate that civil servants themselves are conscious of the low professional standards in the civil service. Expectedly, they find it difficult to indict their colleagues and are rather mild in their assertions. A careful scrutiny of their responses however shows that they are more eager to rationalize the unprofessional conduct of their colleagues by identifying causes of low ethics in the civil services. For instance to the question 'In your opinion, what is the public image of the civil service. 36 respondents (12.0%) respond that it is good while 199 (66.3%) think it is bad; the rest claim they do not know. The follow up item asks respondents to assess the level of morality in the civil service. 25(8.3%) think it is high while 119(39.7%) think it above average. 106(35.3%) believe the level of morality in the civil service is below average while 45 respondents (15.0%) think it is low. The remaining 5 people (1.7%) did not respond to this question.

Our findings also reveal that civil servants consider lateness to work and tardiness as the most prevalent acts of unprofessional conduct. 173 respondents (57.7%) agree (32 or 10.7% of the lot strongly) which the statement that 'Many civil servants report late at work. 8(2.7%) express no opinion. 91 or 30.3% disagree while 24 or 8.0% strongly disagree.

Similarly 58.9% of the respondents agree with the statement that 'civil service activities are carried out with a lot of delays. 6.0% express no opinion on the issue while

34.7% disagree.

A sizeable number of civil servants also agree that many civil servants regularly absent themselves from work. 30 respondents (10.0%) strongly agree with this statement while 95 (31.7%) also agree. 21(7.0%) had no opinion while 117 (39.0%) disagree. 32 respondents (10.7%) strongly disagree. Similarly, 28 respondents (9.3%) strongly agree with the statement that many civil servants are non-challant in their attitudes to work. 110(36.7%) also agree with the statement with 10 (3.3%) expressing no opinion. 111 respondents (37.0%) disagree while 36(12.0%) strongly disagree.

22 respondents (7.3%) strongly agree that most civil servants are lazy in the conduct of their official duties. 106(35.3%) also agree with this view while 23(7.7%) have no opinion. 118% respondents (39.3%) disagree with the view while 25(8.3%) strongly disagree. The response quite compares with the one we get when the question is asked in another form. Thus 47 respondents (15.7%) strongly agree with the statement that most civil servants are hardworking while 130 (43.3%) agree. 27(9.0%) expressed no opinion and 70(23.3%) disagree. 13(4.3%) strongly disagree.

51 respondents (17.0%) agree strongly with the view that many civil servants respect office rules while 157(52.3%) also agree with the statement. 19 respondents (6.3%) expressed no opinion on the issue. 64(21.3%) of the respondents disagree with 5(1.7%) expressing strong disagreement. On dedication to job, majority of our respondents score civil servants very high. 48(16.0%) express strong agreement with the

opinion that most civil servants are dedicated to their jobs and an overwhelming number 155 (51.7%) are in agreement with the statement. Only 19(6.3%) had no opinion with 67(22.3%) expressing disagreement, 3 respondents (1.0%) show strong disagreement).

23(7.7%) respondents are in strong agreement with the opinion that many civil servants are corrupt with another 88(29.3%) also showing agreement. 36(12.0%) have no opinion. 109(36.3%) disagree while another 36(12.0%) express strong disagreement. In the same vein, 86(28.7%) agree in strong terms with the view that most civil servants are courteous in the discharge of their responsibility with another 126(42.0%) also indicating agreement. 21(7.0%) express no opinion while 51(17.0%) disagree. 7 respondents (2.3%) show strong disagreement.

Overall, findings from the field reveal that serving civil servant themselves acknowledge that the level of professional conduct in the civil service is low. Expectedly however, they do not think the low work ethics in the civil service is as low as observers allege. Moreover, their views differ on particular items of conduct. As evident from the above data, civil servants score their performance high on some issues while admitting their inadequacies on some other items.

In effect, the picture that emerges from this section is that the Nigerian civil service is found wanting on all the four counts of Dunsire's taxonomy. On the first level of bureaucratic discipline, it is clear that civil servants are not prompt in coming to office while absenteeism is rampant. Respect for office rules, diligence, attentiveness, assiduity,

etc which are expected under bureaucratic discipline are observed more in breach.

The second level emphasizes honesty, probity and rectitude. Here, civil servants are expected to have clean hands, and do nothing that cannot stand up to investigation thereafter. The reality on the ground is a complete reversal. Nigerian civil servants are famous not only for extortion but also financial mismanagement whenever they have access to public fund. For instance, in 1990 alone, the Federal Civil Service Commission reported 90 cases of loss of public revenue involving N4,066,957.82 in 23 ministries. In 1991, the number of cases remained 90 but with a jump in the amount involved to N14,854,853.06. By 1992, the number of cases fell to 37 but with a sharp rise in the amount involved to N230,517,286.71. Out of this amount, a meagre sum of N45,900,000.00 was reportedly recovered. In 1993, a sum total of N5,206,942.00 was reported lost in 18 cases without any amount recovered.

These amounts are frightening enough even though the cases are grossly underreported. Coupled with financial theft is the high cost of executing government projects. The Report of the Political Bureau discusses this issue at length. The Bureau stresses the need to stem the alarming tide of corruption in government. From its privileged access to revelations in various tribunals and commissions of enquiry, it asserts that the most single contributory factor to the escalation of cost of government has been corruption at all levels and in all sectors of government. From fictitious consultancy fee payments, padded contract sums, deliberate diversion of huge funds into pockets of

individuals to over-costing of projects, the cost of government in Nigeria has appeared to bear no relevance to actual activities. The Bureau further asserts that government programmes and projects have been handled at policy development and implementation stages with a gross lack of foresight resulting in equipments and plants becoming redundant due to lack of raw materials, wrong location, wrong spares, and sheer abandonment of projects due to faulty bureaucratic organisations. The example of iron and steel stands out among many others.

The third level requires 'doing right' or doing justice. Here, the requirement is that civil servants should come to proper decision since the weight of the state is behind every choice. Sadly enough, the reality on the ground is that civil servants place their personal interests above any other consideration. In the conduct of official business, it appears civil servants are guided by a set of factors in a concentric circle. These are self, members of one's group (ethnic, religious, etc) and others.

The last level is bureaucratic professional honour. This requires civil servants to obey and not obstruct their political masters. It also imposes obligation on officials to be resourceful and imaginative in the deployment of their knowledge, skills and energies in conducting public affairs. Unfortunately this has not been the case. The relationship between civil servants and political executives oscillate between collusion and non-cooperation. This has greatly lowered the quality of service rendered to the public.

6.3 Institutional Correlates of Bureaucratic Morality

In Chapter three, the study highlights the importance of institutional arrangements in moulding the conduct of civil servants. It also discusses extensively the spectrum of such contrivances available in the Nigerian civil service. This section therefore examines the familiarity of Nigerian civil servants with the various guiding rules and regulations.

241 respondents (80.3%) claim to have at one time or the other read a copy of the *Civil Service Rules* while 54 (18.0%) responded no. Also 212 (70.7%) claim to be familiar with the contents of the document. Incidentally however, 149 or (49.7%) think the provisions of the *Civil Service Rules* are adequate to make civil servants discharge their duties efficiently while 132 (44.0%) think otherwise. In order to ascertain the veracity of those who claim to have read the *Civil Service Rules*, a follow-up question is asked in the questionnaire, inquiring 'On whom is the power to exercise disciplinary control over civil servants vested?'. 61 respondents (20.3%) choose the option of Minister and 52 (17.3%) choose the Director-General option. 174 (58.0%) of the respondents choose the correct option, the Civil Service Commission. Nobody chose the 'I don't know' alternative.

On the question, 'Do you think many civil servants are familiar with the provisions of the Civil Service Rules', 90 respondents (30.9%) respond in the affirmative while a sizeable 165 (55.0%) think otherwise. 36 (12.0%) claim they do not know.

Apart from the *Civil Service Rules*, the *Civil Service Handbook* probably comes

next in order of importance to the civil servants. 165 respondents (55.0%) claim to have read the *Handbook* while 124 (41.3%) admitted not having read it. Contrary to the requirement of the Handbook that it be made available in every office, only 98(32.7%) of the respondents claim that it is available in their offices while 170(56.7%) claim the *Handbook* is not available in their offices. Indeed, only 23.3% (70) respondents think most civil servants are familiar with the provisions of the *Handbook* while a sizeable 174 (58.0%) think otherwise. 48(16.0%) express no opinion on the question.

152 respondents (50.7%) responded positively to the question that 'Are you aware that a civil servant is required by law to take an oath of office?' while 136(45.3%) claimed ignorance.

Many respondents demonstrate a fair familiarity with rules and regulations governing their conduct. It is however clear that *Civil Service Rules* enjoys the greatest popularity among civil servants. Other important rules that are germane to professional conduct in the civil service are relatively unknown to them. Incidentally these are more explicit in prescriptions than the popular *Civil Service Rules*

6.4 Enforcement of Rules and Regulations

Formulation of rules and regulations is not an end in itself. For rules and regulations to achieve objectives for which they are designed, they have to be enforced. It is after enforcement that their effectiveness can be measured. This section therefore

attempts to evaluate the enforcement of the necessary rules and regulations that are supposed to guide the conduct of civil servants and as well ascertain their effectiveness, relying in the main on the perception of civil servants themselves. We however complement this with reports of the bodies saddled with the responsibility for enforcement.

The study discusses the issue of the compulsory examination on *Civil Service Rules* and its objectives in chapter three. We therefore sought an assessment of this examination from our respondents. 151 (50.3%) think it is an effective way of inculcating in the civil servants the necessary rules of conduct while 95 (31.7%) think it is ineffective. 43(14.3%) express no opinion on the issue. Following this pattern, 172 (57.3%) claimed to have taken the exam at one time or the other while 120 (40.0%) denied ever taking the exam. In the same vein, 133 (44.3%) are of the opinion that many civil servants still do the exam while 93 (33.0%) think otherwise. 59 (19.7%) claim they do not know.

But how effective is the Annual Performance Evaluation Report (APER)? 136 respondents (45.3%) think it is effective while 133(44.3%) think it is not, 20(6.7%) do not express any opinion.

149 respondents (49.7%) claimed to have taken the oath of office since joining civil service while 132 (44.0%) said they have not. 15 respondents (5.0%) did not indicate whether they have or they have not. Two respondents could not remember their

stand on this. Similarly, 69 respondents (23.0%) think many civil servants comply with the legal requirement of oath taking while 151 (50.3%) do not think so. 59 (19.7%) claim they do not know if many civil servants do comply. 18 subjects (6.0%) did not respond to the question.

76 respondents (25.3%) claimed to have at one time or the other declared their assets to the Code of Conduct Bureau while a sizeable 161 (53.7%) said they have never done so. Again, a large proportion of 58(19.31) did not respond to the question. Indeed only 46 respondents (15.3%) think the general response of civil servants to the asset declaration requirement is positive. 78 (26.0%) think the general response has been lukewarm. 29 or 9.7% believe the general response is negative while 16 or 15.3% claim ignorance about the general trend. 129 or 43.0% declined comments on the issue.

The central picture that emerges from our discussion in this section is that enforcement of guiding rules and regulations has not been firm. In other words there is not enough disincentive to breach of rules and regulations. The institutional contrivances are not imbued with enough sanctions. Even where sanctions accompany the rules, they are hardly applied as the Nigerian Civil Service appears to be bereft of one cardinal feature of bureaucracy - impersonality.

A composite picture of enforcement of rules of conduct in the Nigerian civil service cannot be seen from a mere survey. In order to cross-check the claims of civil servants therefore, we scrutinise the reports of the activities of two important bodies

responsible for enforcement of good administrative conduct. In chapter four we point out that there are two broad categories of control measures - internal and external. Our selection of regulatory bodies follows this dichotomy. Thus for internal control, we select the Civil Service Commission while for external control, our choice is the Public Complaints Commission. In respect of the latter, our choice could not have been any other. The Public Complaints Commission is the oldest of the external regulatory bodies and it publishes an annual report. The Code of Conduct Bureau is yet to attain a comparable level of organisation possibly because of its tender age, among other reasons.

Our findings from this effort do not diverge significantly from the views expressed by the civil servants. Indeed they bring into sharper focus the absence of enforcement. This can be seen from Table 5. Up to the introduction of the reforms of 1988, the Civil Service Commission was responsible for enforcement of discipline in the civil service. Unfortunately, the reports of the Commission indicate that in 1981, the Commission took only 234 disciplinary decisions, 59 for 1984 and 114 for 1985. In 1986, the figure rose to 298. These figures are ridiculously low for a civil service that is well-known for its notoriety. Indeed, the Chairman of the Commission admitted as much in his Report for 1981. He however attributed this development to an improvement in the work ethics of civil servants. According to him, 'It is interesting to note that disciplinary cases were in the decline. This can be attributable to the disciplined behaviour of our civil servants and their sense of dedication'.

This assertion however is not in tune with the reality of conduct of civil servants. A more plausible conclusion is that most misdemeanours in the civil service go unreported and *ipso facto* unpunished. This explains why unprofessional conduct intensifies by the day.

With the introduction of the 1988 reforms and the transfer of disciplinary functions to each ministry, there is no more record of disciplinary decisions. One thing is however clear; this has in no way reduced incidences of unethical conduct. It has only aggravated it. The figures for the years considered above are the ones available and they represent the trend over the years.

The reports of the Nigerian ombudsman, the Public Complaints Commission exposes the inaccuracy of the claim by the Chairman of the Civil Service Commission earlier alluded to. For instance in 1985, 8,326 complaints were lodged against the conduct of civil servants across the country. This was a year in which the Civil Service Commission took only a paltry 114 disciplinary decisions. Unfortunately out of this figure, only 3,968 cases were satisfactorily resolved (i.e only 47.66%). The balance of 4,358 complaints (52.34%) could not be resolved. From Table 6, it is clear that this is one of the best years of the Public Complaints Commission. Over the years, this impotence of the ombudsman in coming to the rescue of the public against civil servants has led to frustration. Therefore, many victims of unethical conduct of civil servants hardly lodge any complaint before any authority again. They prefer to suffer in silence

or in many cases submit themselves to the exploitation and oppression of the civil servants.

**Table 5: Breakdown of Disciplinary Decisions Taken by the
Federal Civil Service Commission in some Years**

Year	A	B	C	D	E	F	G	H	I	J	K	L	M	N	Total
1981	60	14	5	2	4	40	43	6	10	4	-	-	-	-	234
1984	4	7	-	3	3	3	1	-	4	-	-	-	-	-	59
1985	14	19	14	-	11	7	-	4	-	-	-	-	-	-	114
1986	64	22	32	57	5	3	72	3	8	6	16	6	1	4	298

Key: A - Dismissals B - Terminations C - Suspensions
 D - Retirements E - Reduction in Ranks F - Reprimands
 G - Warnings H - Letters of Advice I - Surcharges
 J - Withholding of Increment/Salary K - Interdiction
 L - Query M - Desecondment N - Others

Source: Compiled from the Annual Reports of the Federal Civil Service Commission for the respective years.

Table 6: Breakdown of Cases Handled by the Public Complaints**Commission in Selected Years**

Year	A	B	C	D	E
1985	8,326	3,968	47.66%	4,358	52.34%
1986	10,483	5,059	48.26%	5,424	51.74%
1989	13,457	4,364	32.43%	9,093	67.57%
1990	11,600	4,539	39.13%	7,061	60.87%
1991	12,392	5,423	43.76%	6,970	56.24%
1992	11,127	4,165	37.43%	6,962	62.57%
1993	10,241	3,815	37.25%	6,426	62.75%
1994	10,324	3,921	37.98%	6,403	62.02%
1996	9,864	4,036	40.92%	5,828	59.08%

Key: A - Total number of Complaints Received including Brought Forward Complaints.

B - Total number of Complaints satisfactorily resolved from A

C - % of B over A

D - Total Number of Complaints pending from A

E - % of D over A

Source: Compiled from the annual reports of the Public Complaints Commission for the respective years.

6.5 Ecological Correlates of Administrative Ethics

Civil servants have various ties in the society. The various social relations they have in the society can facilitate as well as constrain their conduct. One significant issue in this sense is the economic milieu within which civil servants operate. This prompted us to inquire from our respondents if they think civil servants are adequately remunerated. It is significant to note that a paltry number of 55 (18.3%) respond affirmatively while 208 (69.3%) respond in the negative. 34 respondents (11.3%) do not respond to the question. The same question was posed in another form thus: Do you think the level of income in the civil service is enough to make civil servants give their best performance? 31 or 10.3% think so. 235 or 78.3% think otherwise while 31 or 10.3% do not respond to the question.

Mode of recruitment into the civil service is another crucial issue. 31 or 10.3% of our respondents agree strongly with the view that recruitment into the civil service is based strictly on merit while 75 or 25.0% agree. 29 or 9.7% express no opinion on the issue while 113 or 37.7% disagree. 48 or 16.0%

express strong disagreement.

Responses also indicate that in-service training is grossly inadequate. We inquire from them if they have ever attended an in-service training in which professional standards formed part of the curriculum. 93 (31.0%) respond in the affirmative while 141 or 47.0% say no. 28 or 9.3% say they do not know. 36 subjects do not volunteer any response to the question.

70 respondents (23.3%) claim that the professional organisations which they belong prescribe codes of conduct for members while 77 (25.7%) claim that their unions do not. 9 (3.0%) claim they do not know. 141 (47.0%) do not respond to the question.

92 (30.7%) claim that their trade unions prescribe code of conduct for members while 85 (28.3%) say no. 27 (9.0%) admit they do not know if their unions do. 93 (31.0%) omit the item.

6.6 Postscript: Summary of Findings

This section distills our major findings. Our submissions here cut across the various sections and reflect our findings from extant literature review, documentary and archival search and survey, both questionnaire administration as

well as follow-up interviews.

On the surface, the institutional framework for the conduct of civil service operations appears quite adequate. The reason is that at independence, Nigeria, like other Commonwealth countries, inherited a vibrant civil service built upon sound structural foundation. This institutional basis has been further strengthened, reinforced and modernised by regular post-independence reforms.

Scratching beyond the surface however, we found out that there is a profound institutional gap which seriously circumscribes the efficacy of institutional contrivances. This gap relates to the absence of a central agency that will be responsible for the enforcement of necessary rules and regulations of conduct. In the main, the body saddled with the responsibility of maintaining discipline is the Civil Service Commission. Unfortunately, this body is impaired in the performance of its duties by its omnibus character. Going by the provisions of section 6 of the *Civil Service (Re-Organisation) Decree No. 43 of 1988*, the Civil Service Commission has the duty 'to review any decision or determination of a Ministry in relation to the appointment, dismissal or disciplinary control of any person employed in the service of a Ministry'. The aforementioned power of the Commission is however limited with a proviso that the exercise of the power

'shall be with a view to determining compliance with any law, regulations, rules or procedures or whether or not such decision or determination is vitiated by malice or any other unlawful consideration'.

In this vein, the Commission may after review of any matter brought before it, confirm, modify, reverse or otherwise vary the decision or determination of a Ministry. However, in the case of a modification or reversal, the Ministry concerned has the right of reference to the President, Commander-Chief of the Armed Forces or the Governor at the state level whose decision is final. Without doubt, this is a tortuous way of enforcing compliance which gives the wrong impression that rules are not meant to be obeyed. In any case, section 6(7) of the decree stipulates the duties of the Commission in clear terms that:

It shall be the duty of the Commission to make rules, regulations and guidelines for the adoption of the appropriate authority in respect of matters relating to the conduct of appointment, dismissal and disciplinary control of persons employed in the service of Ministries.

In sum, the Commission has a redundant role of making guidelines for the enforcement of rules. This is a long way of relieving the Commission of its traditional role of civil service watch-dog. In this stead, each Ministry now has the power of employment, dismissal and disciplinary control over its staff. In

performing this new role, each Ministry is mandated to institute a Personnel Management Board which shall in turn have two committees: Junior Staff Committee (JSC) and Senior Staff Committee (SSC). Appeals against the decisions of the Junior Staff Committees lie to the Director-General and thereafter to the Minister. Appeals against the decision of the Senior Staff Committees lie to the Minister. Appeals against the decisions of the Board lie to the Civil Service Commission. This modality for enforcing discipline is cumbersome. It is surely a recipe for confusion. It is therefore easy to understand why rules are hardly enforced.

The problem of institutional gap is further compounded by ecological factors that bear on the performance of civil servants. In the first instance, the most serious ecological problem hampering the efficiency of civil service operations today is poor motivation. Okwudiba Nnoli appropriately captures the situation. He argues that Nigerian workers have always lived under very harsh conditions. They cannot afford three meals a day. Besides, the nutritional content of their meals is very low. They rarely eat meat, fish or any other animal protein source. Moreover, the caloric content of the meals is usually below the minimum recommended by the United Nations. Additionally, they cannot afford a reasonable

shelter for self and family and usually live in very unsanitary environments. At the same time they cannot afford the cost of the educational and health care for their families whose members, consequently, suffer from ignorance and endemic diseases. In the same vein, they lack access to credit facilities and elementary social amenities as well as basic needs such as adequate transport facilities, pipe-borne water, social security insurance, consumer goods, adequate provision for old age, any help whatever for housework, child care or simple recreational facilities for their children.

He continues that the Nigerian worker never has resources. He lives from hand to mouth. Each difficulty or accident compels him to sell his belongings at a trifling price. Stemming from the foregoing, he cannot work often or efficiently. He suffers serious housing and transport difficulties and is not socially secure enough to work efficiently. He must take other jobs in the informal or formal sector to make ends meet, and cannot devote his full time to any job or do it efficiently.

The most serious problem hampering the efficiency of civil service operations therefore is poor remuneration. There is a near unanimity among our respondents on this issue when we raise the question in our questionnaire that 'In

your own opinion, what is the fundamental problem facing the civil service?'. 276 of our respondents identify this factor as the clog in the wheel of efficiency of the administrative sub-structure. This prompts us to embark on a follow-up interview with some selected officers.

We found out that the income level of all officers is quite far apart from the cost of living. As a result, each civil servant has to devise a coping strategy in order to make ends meet. It is in the process of doing so that all kinds of measures are embarked upon, whether ethical or otherwise. This is the root of the parlous state of professional standards in the civil service. For example, this author met some very senior officials on Grade Level 14 who would abandon their offices during working hours to use their private cars for commercial purposes, known as *kabukabu* in popular parlance. Some even collude with drivers to use official vehicles for *kabukubu* with the proceeds being shared between the boss and the driver.

One other way, unethical though, by which officials cope with poor remuneration is a form of understanding among colleagues to prepare a roster of attendance at work. Thus, if three people A, B and C are in a unit, an understanding will be reached whereby A will come to work on say Monday and

Wednesday B on Tuesday and Friday and C on Thursday. The arrangement can thereafter be rotated. This arrangement enables the officers concerned to save the transport fares for those days on which they are 'off-duty', unofficially though. At the same time, they use such days to pursue their own private ventures, proceeds of which they use to augment their official incomes.

There is yet another strategy and which perhaps is the most offensive to the public. Civil servants extort money from their clients. This extortion can be subtle, in which case civil servants deliberately become tardy while rendering services to the public. The patience of the client is gradually eroded until he decides to 'facilitate' the operation of the officer by parting with some gifts, either in cash or in kind. On the other hand, some civil servants make outright demand for graft before performing their duties. Out of desperation or helplessness, the client succumbs to the extortion.

The relationship between remuneration and professional conduct can also be demonstrated from the positive perspective. From our observations, some officers stay in their offices till very late in the day. Indeed, it is not unusual to find these officials working till 9 p.m. even though the official working hours end at 3.30p.m. Yet, early the following morning, the officials will report at their desk

to continue their work. Investigations however reveal that those are top officials usually from the rank of Assistant Director upward. Curiously, this is the cadre where roughly an average civil servant begins to enjoy tremendous benefits from the perquisites of office. The formal income of officers in this bracket is proportionately as low as those of other ranks. Nevertheless, by virtue of the offices, these officials control the bulk of the resources in their respective departments from which they benefit immensely. As a result, they put in extra hours in running the affairs of their establishments and yet they hardly complain about low remuneration. As a matter of fact, this category of officers rarely go on leave. They cannot afford to leave their seats even for a moment because the loss they stand to incur from such an act of 'abdication' cannot be quantified.

Apart from basic salaries, other conditions of service are not encouraging. For instance many civil servants express displeasure with the aspect of the *Civil Service Rules* on medical expenses which recognise bills only from government hospitals. Thus, a civil servant who is on leave and goes to his village to spend his vacation and falls sick there cannot have his expenses refunded because there is no government hospital there. Moreover, rules on payment of allowances are not being complied with in respect of rent subsidy. The rule stipulates that an

underquartered official should be paid 75% of his housing allowance. An underquartered officer is someone who, for instance, is entitled, by virtue of his position in the civil service, to a three-bedroom apartment, but due to shortage of official quarters, given a two-bedroom apartment. Unfortunately, this rule is no longer applied. An underquartered official automatically forfeits all his housing allowance. Similarly an appropriately quartered official but whose apartment is not furnished is supposed to have a refund of 50% of his housing allowance. This is not the case. Also, all forms of credit facilities capable of motivating civil servants have gone into oblivion e.g. housing and car loans.

The cumulative effect of the foregoing is poor motivation as officials are poorly remunerated and live below poverty lines. This life of abject poverty makes it difficult to uphold any profound ethical standard. In order to make ends meet, civil servants therefore engage in activities that are mostly at variance with the requirements of the offices they occupy - petty business, petty contracting, selling official confidential information, inflation of official costs on goods and trips, extortion of clients, outright stealing of public fund and property, etc. This situation lends credence to Samuel Johnson's assertion that 'poverty is a great enemy to human happiness; it certainly destroys liberty, and it makes some virtues

impracticable and others extremely difficult'.²

Another source of the widespread unprofessional conduct among the Nigerian civil servants is the overriding political character of the civil service which breeds mediocre leadership in the administrative sub-structure. In a modern political system a balance is usually struck between the technical function of the bureaucracy and its political function. As a technical device, the civil service shares with the political leadership the function of policy formulation 'given the extent of governmental activity and the permanence and specialised skills of the civil servants'. Its primary duty however is policy implementation at all levels.³ As a political machinery, the civil service is an important source of patronage for parties and government leaders. In this vein, posts in the civil service can provide rewards for political support. It may also seek to reflect the diversity embedded in a nation-state. These two functions are critical and a balance has to be struck between them. Unfortunately in Nigeria, the balance tilts largely in favour of the political.

Beginning from 1979 when the federal character principle assumed the

² cf *The Concise Oxford Dictionary of Quotation* 1981 p. 133

³ Alan Ball (1988) *Modern Politics and Government* London; Macmillan 4th Edition pp 173-177

status of a creed among all successive regimes, many civil servants have had their careers either truncated or short-circuited. Alex Gboyega describes the implementation of this principle in the Second Republic. He explains that there are two sets of values involved in the constitutional provisions of the federal character principle. The first is the objective of equality of participation as a means of ensuring loyalty to the nation and, hence, national unity. Secondly there is the desire to do justice by all through the avoidance of invidious discrimination. During the Second Republic however, there was no reasonable effort by the political leadership to provide the necessary guidelines to facilitate the reconciliation and realization of the two sets of values. What was required was clarification of the ambiguities in the constitutional provisions, definition of the scope and operationalisation of the federal character principle and assurance to those already in the public service fair consideration without discrimination, as all previous commissions of inquiry into the subject of the composition of the public service had done.

On the contrary, the issue of making public institutions reflect the federal character was taken up haphazardly, giving rise to arbitrariness and victimisation

of some unfortunate public servants.⁴ He further contends that the resultant effect is frustration among civil servants whose career expectations are adversely affected leading to a serious damage to the *esprit de corps* of the service.

Our contention therefore is that an overtly political civil service is bound to observe professional standards more in the breach as a result of the merger of the administrative with the political. In the course of our study, we met an officer who vowed never to show commitment to his job on account of what he identified as the ascendancy of his juniors over him in the name of federal character. He also pointed out that rules are not applied uniformly to officers. He cited the example of 'no transfer rule'. At a time, a rule was made that officers from the state civil services could not transfer to the federal civil service. In effect however, this rule was observed only in respect of officers from the Southern part of the country. Officers of Northern origin were not only allowed to transfer, they were also promoted over and above their counterparts from the South who joined civil service well before them. This leads to factionalisation among officers along ethnic lines. Allegations are also rife that officers of Northern origin are posted to 'choice' ministries like Finance and Petroleum Resources. Even within each

⁴ Alex Gboyega (1989) 'The Public Service and Federal Character' p.P. Ekeh and E.E. Osaghae(eds) *Federal Character and Federalism in Nigeria* Ibadan; Heinemann p. 178.

ministry, staff deployment is political. Key sections like Planning (where you *have Ministerial Tenders Board*), Finance and Supply, etc. are preponderantly staffed by Northern officers while 'dry' departments have a preponderance of Southern officers.

In sum, one cannot but agree with William Graf's observation that recruitment, promotion and development policies have had to be directed toward finding an ethnic territorial balance - if need be, at the expense of 'merit'. He continues that the 'representative bureaucracy' is simultaneously a more overtly 'politicised' bureaucracy. In its functions therefore, it has been shown to produce distorted career patterns, job frustration, insecurity, a propensity to corruption, weakening of corporate morale and the merger of the administrative with the political.⁵

⁵ William Graf (1988) *The Nigerian State* London; James Currey p. 204

CHAPTER SEVEN

CONCLUSION

This chapter attempts to give fulfillment to our third objective i.e. proffering policy suggestions capable of translating principles and philosophies into ethical behaviour among Nigerian civil servants. Findings from the preceding chapters show that factors which bear on professional conduct of civil servants are of two kinds - proximal and distal. The proximal factors are the ecological factors while distal factors are the institutional correlates. Problems of Nigerian civil service cut across the two sets of factors. As such, any effective proposal for reform must not lose sight of this configuration. This is the reason why we advocate what we describe as 'synergistic therapy' in curing the ills of the Nigerian civil service.

The concept of synergism is borrowed from the chemical sciences. *McGraw-Hill Dictionary of Scientific and Technical Terms* defines synergism as 'an action where the total effect of two active components in a mixture volume that is greater than the sum of the individual effects, for example, a mixture volume that is greater than the sum of the individual volumes, or in resin formulation, the use of two or more stabilizers, where the combination improves polymer stability more than expected from the additive effect of the stabilisers'.

What is of importance to us here is the logic of synergism. What is proposed therefore, is a combination of redressive measures, whose efficacy derive not from a simple

summation of the strength of the various component measures. Rather, the synergy produces a therapy that has the features of a hybrid, potent in all respects of the component measures while simultaneously bereft of the weak points of the individual measures. In other words, in order to derive the best result from our suggestions they have to be applied simultaneously. If applied singly, the maximum benefits derivable from the redressive measures are not likely to be attained. In any case, it is our contention that past efforts had failed due largely to the isolationist tendencies of reforming civil service. The low bureaucratic morality in Nigeria has a broad and diversified base. An effective effort to exorcise this scourge must be bold and comprehensive enough to tackle the adventitious character of low work ethics in the Nigerian civil service. The measures we propose are motivation and fostering of an enforcement mechanism.

7.1 Motivation

Our findings in the body of the essay vividly reveal that Nigerian civil servants, like other employees in the public sector, are poorly remunerated. This has led to poor motivation and has been rightly identified as the root of unethical conduct. The first step in turning around the fortunes of the Nigerian civil service therefore lies in motivating its operators. As a matter of fact, there is a unanimity of opinion among our respondents that the greatest problem facing the civil service today is poor motivation. This comes

out from the responses to our question 'In your own opinion, what is the fundamental problem facing the civil service?' All our respondents identify this as the first problem even though there are slight differences of opinion in respect of other problems. Issues identified under poor motivation are extremely low remuneration, lack of access to credit facilities and soft loans, inadequate provision for post-retirement period, lack of reward for outstanding performance, inadequate fringe benefits, irregular payment of salaries, lack of welfare schemes like housing and transport services, irregular promotion, etc. A respondent summarises the situation in the following words:

It takes a lot of courage for instance, for an officer who left the university 12 years ago working in the civil service and whose salary after 10 years service is just N4,000.00 per month, to resist the temptation of being corrupt. Survival they say, is the first law of nature.

Another respondent attributed the prevailing low level of morality in the civil service to 'inhuman and poor pay, poverty and lack of motivation'. Similarly, another respondent avers that 'the fear of unknown leads to gross indiscipline (financial fraud). Also inadequate remuneration causes economic hardship which leads to lack of dedication to duties. Another respondent observes that 'No adequate remuneration and so civil servants are not motivated. They are the poorest in the society'. One cannot but agree with another respondent's view that 'the pay is small so the attitude to work is slack'. 'Empty stomach' is the factor identified by another civil servant as the explanation for the low work ethics in the civil service. The consequence of all the above is, in the opinion of

one respondent 'lack of job satisfaction' while another says it is 'general discontentment'. What the foregoing add up to, is that there is the urgent need to embark on a comprehensive review of the conditions of service of Nigerian civil servants. The income level in the civil service has to be adjusted to accord with the prevailing cost of living. Government can no longer afford to hide under the cloak of poor economy to neglect the welfare of its employees who run the day-to-day affairs of administration. Curiously, government is always quick to point to high level of productivity and efficiency in the private sector as a model which civil servants should emulate. Sadly enough, government is always blind to the wide gulf that exists between the conditions of service of private sector employees, and their public service counterparts. If government desires to attain the same level of operational efficiency in the private sector, it must be ready to bear the cost.

Incidentally, government policies go a long way in contributing to the misery of civil servants. Many services provided by public corporations have either been privatised or commercialised. In each case, there is an astronomical review of tariffs. On the other hand, income levels in the public sector have remained stagnant for many years. To compound the problems of civil servants, most officers earn far below their counterparts in the parastatals that have been commercialised. Yet these parastatals come under the supervision of these ministries. It therefore amounts to an unfair comparison attributing the relative efficiency of the parastatals to the policy of commercialisation. Civil

servants can substantially improve upon the present level if they are adequately motivated. They must be made to have a stake in their jobs. If a civil servant can meet most of his obligations within the legal income he is likely to be more dedicated. In other words, he will strive to keep his job. Above all, incomes in the public service generally should be reviewed regularly, say in the interval of three years in order for income to keep pace with inflation.

Apart from salaries, other allowances that must be upgraded include housing and transport. Soft loan schemes like housing and car should also be reactivated. There is also the need to introduce new allowances like medical, to take the form that obtains in the private sector. In some private establishments, medical allowances are paid to all employees in bulk at the beginning of the year. This lump sum payment enables the recipient to use it to embark on a tangible project and he looks forward to the receipt of the payment for the following year. As such, the worker throws in all his energy and skills to perform his duties.

Other non-monetary conditions of service should also be looked into. Regular payment of salaries, regular promotion and prompt payment of post-service entitlements. As at now, following the poor remuneration of civil servants, the terminal benefits are nothing worth looking forward to. Thus many civil servants do not intend to work till old age because that would amount to using one's productive years in poverty and retiring into squalor. Worse still, the monthly pensions, meagre as they are, are paid very irregularly.

There can be no greater disincentive than this. Motivation therefore, is the first step in instilling professional standards in the Nigerian civil servants.

7.2 Fostering an Enforcement Mechanism

Motivation is a necessary but not a sufficient condition to translate principles and philosophies into ethical behaviour among Nigerian civil servants. For one, motivation is not a magic wand that will automatically bring about a re-orientation in the civil service. Old habits die hard. Secondly, past experiences like the Udoji awards of 1974 have shown that jumbo pay is hardly sufficient to make civil servants conform with rules of conduct. There is therefore the need to complement motivation with the establishment of an effective mechanism of compliance. For instance, one of our respondents, while rating the level of morality in the civil service below average explained the situation as a result of the fact that 'the top (of the civil service) is corrupt and as such has no control over the people under them'. Another puts it more succinctly, 'lack of effective machinery to punish bad conduct and reward hardwork and morals'. These observations tally with our own as contained in the last chapter.

In order to redress this problem, we advocate the establishment of an administrative court, probably to be known as the 'Nigerian Civil Service Court'. The import of this recommendation can be gleaned by a rapid discussion of the concept. According to John Bell (1991:8), an administrative court is a judicial body specialising in litigation over

questions of administrative law. 'Judicial' here means settling questions concerning right and powers in a definitive and non hierarchical way by the application of legal rules and principles.

For Bell, the establishment of a specialized administrative court arises from a number of considerations, notably the particularity of the legal and factual questions involved, the expertise of judges and the need for specialised procedures. He continues that the particularity of administrative law issues goes beyond the nature of the facts and legal rules in dispute. Firstly, the litigation very often involves a conflict between the public interest for which the administration acts and the private interests of the individuals specially affected by a decision, and this differs in character from litigation between private individuals. Secondly, the administration includes bodies which are politically responsible and whose control poses issues different from the control of private organisations.

The specialist character of the issues involved may require the selection of expert judge. In some cases this expertise may lie in a technical knowledge either of the factual problems involved or of the law in the area. In others the expertise may lie in knowledge of the social milieu in which the rule operates - either knowledge of the administration, as in the case of French administrative judges, or of the citizens affected. The public interest may require that the legality of administrative action be settled more rapidly than in ordinary civil procedure. The responsibilities of the administration

towards citizens and their relatively weak position in litigation may justify a greater scrupulousness on the part of the court to ensure that justice is done to litigants. Both arguments favour a special procedure for administrative law cases. Bell concludes that a specialist administrative court is usually institutionally separate from courts concerned with private law litigation, with a distinct manpower and competence.

Jacobsen and Lipman¹ add that judges in administrative courts perform both judicial and executive acts. They hear cases concerning public officers accused of having acted in excess of their authority and may punish them for abuse of their powers. Robert Rienow² vividly describes the composition and operations of the French administrative court. According to him, these administrative courts are manned by specially trained career men, learned in the law, and bearing a notable sense of responsibility to both the government and the citizen.

According to Rienow, the procedure in the Interdepartmental Perfectural Councils, which hear the complaints in first instance, is extremely simple. After filling out a form the plaintiff appears at an oral hearing with or without a qualified lawyer as his representative. One councillor presents his report as *rapporteur* and another as 'commissioner' or advocate for the government agency involved. The verdict follows by

¹ G.A. Jacobsen and M.H. Lipman (1979) *Political Science* London; Barnes and Noble Books 2nd Edition p. 155

² Robert Rienow (1964) *Introduction to Government* New York; Alfred A. Knopf p.551

majority vote of the president and four councillors with rare appeals to the Council of State permitted.

For the purpose of clarity, an administrative court is quite distinct from an ombudsman.

It is the severe limitation of the theory and practice of the ombudsman that makes the establishment of administrative court imperative. According to David Yardley³, because ombudsmen are dealing with matters of wider administrative morality than simple illegality, their findings do not have the force of law and are put in the form of reports.

There is no direct method of enforcement, though the administrative authorities almost always comply with the findings and provide the remedies recommended. The ombudsman is therefore an office which, while discharging an almost judicial function in a citizen's dispute with a public authority, yet forms no part of the judiciary.

The body being recommended here therefore will fill the institutional gap which we highlighted in the preceding chapter. It will be the central agency responsible for enforcing operating rules of the civil service, maintain discipline and an agency to which aggrieved members of the public can run to when civil servants breach professional standards. Its operations should be publicised in order to create a mass awareness of its activities. The body will also ensure uniform application of rules among civil servants irrespective of their background.

³ David Yardley (1991) 'Ombudsman' Vernon Bogdanor (ed) *The Blackwell Encyclopedia of Political Science* London, Blackwell Publishers p. 393

Moreover, the resuscitated office of the Head of Civil Service should be invigorated. The proposed administrative court should be supervised by the appointee of this office. This should however, in no way subordinate the court to the office. As a matter of fact, the link between the two is necessary only because of existence of an area of overlap in their goals. According to Adebayo, the main responsibilities of a Head of Civil Service should be :

(a) Provision of leadership and direction to the civil service by:

(i) maintaining high morale and esprit de corps among employees throughout the civil service;

(ii) maintaining a good image of the service through the observance of the codes of conduct as stipulated in the constitution;

(iii) stimulating in employees of all grades an attitude to work that generates maximum efficiency and prompt execution of government policies and programmes

(b) Management of the careers of employees in the civil service and co-ordination of civil service matters and advising Government on establishment matters including:

(i) Staff complements, Grading, Conditions of Service,

(ii) Organisations and Methods,

(iii) Pensions and Gratuities

(iv) Public Service Management and Reforms,

(v) Salaries, Wages, Compensations,

(vi) Staff Development and Training and Staff Negotiating Council

(vii) Continuous review of Civil Service Rules and Regulations.⁴

⁴ ^Augustus Adebayo (1986) *Power in Politics* Ibadan; Spectrum p. 105

The relationship that should exist between the office of the Head of Civil Service and that of the proposed court should be like that which exists between the board of a parastatal and that of its supervising ministry. The court may therefore serve as an instrument for realising the first part of the duties of the Head of Service.

7.3 Miscellaneous Recommendations

One other finding that emerges from the study is the overriding political character of the Nigerian civil service. The federal character principle was contrived in order to build a representative civil service. It is however glaring that there are many lapses in the operation of the principle. These lapses must be corrected in order not to polarise the civil service along North-South divide. As a result, all forms of concession that might be deemed necessary to be given to any part of the country must be made at the point of entry. It ill serves the purpose of the service to tie career advancement to geographical considerations. Civil service is not the only organ of the state where the plural nature of the country is an issue. In the educational sector, special considerations are given to candidates of Northern origin which are described in official quarters as 'educationally disadvantaged states.' Special votes are therefore allocated in the annual budget to service the peculiar needs of the concerned states. It is believed that such money will be used to provide incentive to students. Moreover, candidates from such states have entry requirements' relaxed in order to facilitate their admission. But that is where the facility

ends. Uniform criteria of assessment are used to evaluate the performance of every student irrespective of their background. The mode of assessment cannot be varied on account of geographical circumstances of the student. This, we contend, is what should obtain also in the civil service. The rules governing promotion and career advancement should be uniform across board. Civil servants cannot be expected to give their best performance when they know that, at the end of the day, it is not performance that will determine career advancement. In the same vein, undue emphasis on geographical origin has the tendency of making the favoured group unproductive since it builds in them a false sense of security. The outcome therefore will be a wanton disregard for rules and regulations because of the wrong impression that members of the group are sacred cows. Training is also one vital aspect that has been neglected. This item has been the first casualty of economic crunch in the annual budget. Increasingly, training of civil servants is being seen as a luxury. This is a sad development. A more important point however is that even the little available training programmes have completely ignored professional standards in their curriculum. As such, overemphasis has been placed on technical skills. Such neglect has resulted in perilous conducts among civil servants. This situation must be redressed. Due recognition must be accorded ethical standards in the training programmes of civil servants.

Professional organisations and trade unions must also play a vital role here in complementing in-service training. The former have to recognise the fact that

professional standards are crucial to the performance of skilled workers. Unethical conduct can bring to nought activities of a professional no matter how highly skilled. Therefore, they must not only prescribe codes of conduct for their members, they must also strive to ensure compliance. Trade unions must also realise that their goal of ensuring welfare of their members can be made more realisable if they have disciplined membership. It will enhance their bargaining power if they know that their members conduct themselves in a manner that is widely commendable. It is in this respect that they are also duty-bound to prescribe codes of conduct for their members and ensure their enforcement.

On a final note, we hasten to point out however that in Nigeria, unprofessional conduct is not an exclusive preserve of civil servants. On the contrary, it is a systemic pathology. The effort here has been to highlight the nuances or peculiarities of unethical conduct in respect of civil servants. For all the measures canvassed to be effective therefore, system-wide and simultaneous steps should be taken to sanitize the conduct of public office holders as a whole.

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APPENDIX

QUESTIONNAIRE

Department of Political Science,
University of Ibadan,
Ibadan.

Dear Respondent,

This researcher is a graduate student in the above-named department. The survey being conducted is part of the requirements for the award of a Ph.D. degree and is intended to assist us in reaching valid conclusions on a study titled 'Administrative Ethics in Nigeria'. It is directed at senior civil servants. It would very much be appreciated if you would volunteer candid and true responses to the following questions. Information given would be treated as strictly confidential and used only for academic purposes. Please, rest assured that your anonymity is guaranteed.

Thank you for your anticipated co-operation.

Sincerely,

OYADARE, B.A.

SECTION A

Please indicate whichever applies to you by ticking (✓) the appropriate places.

- (1) SEX: Male..... Female.....
- (2) AGE.....
- (3) STATE OF ORIGIN:
- (4) GRADE LEVEL (GL).....
- (5) MARITAL STATUS: Married Single..... Divorced.....
Widowed.....
- (6) MINISTRY:.....
- (7) DEPARTMENT.....
- (8) RELIGION(Optional) (i) Islam (ii) Christianity
(iii) Others (please specify)

(9) LEVEL OF FORMAL EDUCATION/ACADEMIC QUALIFICATION:

- (i) Certificate/Diploma
- (ii) B.A/B.Sc/HND
- (iii) M.A/M.Sc/MBA
- (iv) Ph.D
- (v) Others (Please specify)

SECTION B

INSTRUCTION: Kindly indicate your opinion on the following statements by placing a tick (✓) in the appropriate column. Please do not omit any item.

	I strongly Agree	I Agree	No Opinion	I Disagree	I strongly Disagree
1. Many civil servants regularly absent themselves from work					
2. Many civil servants report late at work					

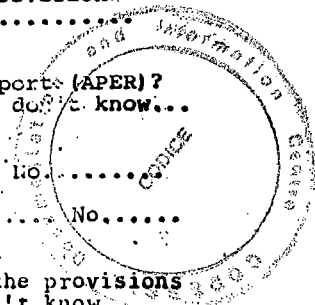
	I Strongly Agree	I Agree	No Opinion	I Disagree	I Strongly Disagree
3. Many civil servants are non-challant in their attitudes to work.					
4. Civil service activities are carried out with a lot of delays					
5. Most civil servants are lazy in the conduct of their official duties					
6. Many civil servants respect office rules					
7. Most civil servants are dedicated to their jobs					
8. Most civil servants are hardworking					
9. Many civil servants are corrupt					
10. Recruitment into the civil service is based strictly on merit					
11. Most civil servants are courteous in the discharge of their responsibility					

SECTION C

INSTRUCTION: In the following set of questions, please choose the option you consider most appropriate among the alternatives provided under each question.

12. Have you ever read a copy of the Civil Service Rules? Yes... No.....
13. If Yes, are you familiar with its contents? Yes No.....
14. Do you think its provisions are adequate to make civil servants discharge their duties efficiently? Yes..... No.....
15. On whom is the power to exercise disciplinary control over civil servants vested? (i) Minister (ii) Director-General.....
 (iii) Civil Service Commission
 (iv) I don't know
16. What is your view about the compulsory examination on Civil Service Rules? (A) Effective (b) Ineffective
 (c) I don't know.....
17. Have you ever taken the exam? Yes..... No.....
18. Do you think many civil servants still do the examination?
 (a) Yes..... (b) No..... (c) I don't know.....

- 19. Do you think many civil servants are familiar with the provisions of the Civil Service Rules? (a) Yes..... (b) No..... (c) I don't know.....
- 20. What is your view about Annual Performance Evaluation Report (APER)? (a) Effective (b) Ineffective (c) I don't know.....
- 21. Have you ever read the Civil Service Handbook? Yes.... No.....
- 22. Do you have a copy of the Handbook in your office? Yes..... No..... (c) I don't know.....
- 23. In your opinion, are most civil servants familiar with the provisions of the Handbook? (a) Yes..... (b) No..... (c) I don't know.....
- 24. Since you joined the civil service, have you ever taken the oath of office? (a) Yes..... (b) No..... (c) I don't know.....
- 25. Are you aware that a civil servant is required by law to take an oath of office? (a) Yes..... (b) No.....
- 26. Do many civil servants comply with this legal requirement? (a) Yes..... (b) No..... (c) I don't know.....
- 27. Have you ever declared your assets to the Code of Conduct Bureau? (a) Yes..... (b) No.....
- 28. If no, why?
- 29. What in your opinion is the general response of civil servants to the asset declaration requirement? (a) Positive..... (b) Lukewarm..... (c) Negative..... (d) I don't know.....



SECTION D

INSTRUCTION: Please choose the option you consider most appropriate (among the alternatives provided) under each question.

- 30. Have you ever attended an in-service training in which professional standards formed part of the curriculum? (a) Yes..... (b) No..... (c) I can't remember.....
- 31. If yes, where and when?
- 32. Do you belong to any professional organisation? Yes..... No.....
- 33. If yes, does that association prescribe any code of conduct for its members in their work places? (a) Yes..... (b) No..... (c) I don't know.....
- 34. Do you belong to any trade union? Yes..... No.....
- 35. If yes, does the union prescribe any code of conduct for its members in their work places? (a) Yes..... (b) No..... (c) I don't know.....
- 36. Do you think civil servants are adequately remunerated? Yes..... No.....

37. Do you think the level of income in the civil service is enough to make civil servants give their best performance? Yes..... No.....

38. In your opinion, what is the public image of the civil service?
(a) Good..... (b) Bad..... (c) I don't know.....

39. What is your assessment of the level of morality in the civil service?
(i) High..... (ii) Above average..... (iii) Below average.....
(v) Low.....

40. What factors do you think are responsible for this state of affairs?

41. In your own opinion, what is the fundamental problem facing the civil service?

42. Any other comment that can help this study?

Thank you very much for your patience, response and co-operation.

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