

Ethical Standards in the Nigerian Public Service: Issues and Challenges

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Abstract

Ethics, which represent morals and values of a group of people, are important in the performance of any organization. The Nigerian public service is no exception in this regard. The issue of enhancing the effectiveness of the Nigerian public service performance has been a major issue. The framework through which this can be achieved to a large extent depends on the ability of the government to formulate policies capable of promoting effective public service performance through ethical standards. This preposition provides a direction for the study aimed at examining issues and challenges of ethical standards in the Nigerian public service. The study adopts an ex post facto design. Data are drawn from secondary sources and examined using content analysis. The study underscores the facts that there are ethical standards and rules which govern the Nigerian public service but these standards are undermined because of weak institutional framework to monitor its implementation. It therefore advocates for a strong mechanism to monitor and ensure the public servants adhere strictly to set standards of the public service.

Keywords: *Ethics, Standards, Values, Morals, Integrity, Performance, Public Service*

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Background to the Study

Historically, the Nigerian Public Service was established by the British government during colonization. By structure, the Nigerian Public Service consists of employees in Nigeria government agencies other than the Military and Police. The Public Service is mainly organized around the Federal Ministries, headed by a Minister appointed by the President of Nigeria. It is a Service where Federal, State or Local Government has an interest or where its presence is felt. It is a very wide organization (Anam, 2014). Functionally, the public service means the activities of government employees and institutions aimed at formulating and implementing government policies designed to help its citizens not for profit-making.

Over the years, the capacity of the Public Service in achieving National development is no doubt the most tasking challenges that the government of Nigeria is facing today. The Public Service reflects the state of the nation and no nation has been able to advance beyond its Public Service. Studies have shown that no nation can attain sustainable development for the enhancement of the living standard of the people without a properly organized Public Service to implement government policies (Osawe, 2015).

Despite reform measures taken to improve the structure and performance of the Nigeria public sector, service delivery has remained poor. This calls for ethics, as a fundamental remedy to this problem. Ethical standards can be referred to as principles that promote ethical values and good image; such principles can be fairness, kindness, integrity, etc. Ethical standards guide individuals and the organization to act in an honest and trustworthy manner. It defines the moral fiber of an organization. It is therefore important that morality be defined and strengthened to improve the performance of the Nigerian public service.

Methods and Source of Data

The study adopts an ex post facto design. Data are drawn from secondary sources and examined using content analysis. The study underscores the facts that there are ethical standards and rules which govern the Nigerian public service. Literature obtained is examined using content analysis. Result obtained provides the framework for suggestions.

Conceptual Clarification

Ethics

Ethics is often referred to as the study of morals and values of a group of people or an accepted set rule of behavior among a particular sect. According to Mautner (2000) ethics from a normative perspective is a rational inquiry into or a theory of, the standards of right and wrong, good and bad in respect of character and conduct, which ought to be accepted by a class of individuals. A detailed definition as provided by Deigh (2010), states that ethics is a study of what are good and bad ends to pursue in life and what it is right and wrong to do in the conduct of life. It is therefore, above all, a practical discipline. Its primary aim is to determine how one ought to live and what actions one ought to do in the conduct of one's life.

Public Service

The meaning of Public Service as contained in section 169 of the 1999 Constitution encompasses the civil service (Ministerial departments), statutory corporations or parastatals,

judiciary, legislature, educational institutions, financially wholly or principally owned by the government at the State, Local and Federal levels, Nigeria Police or Armed Forces and other organizations in which the Federal or State governments owned controlling share interest. This generally means the activities of government employees and institutions aimed at formulating and implementing government policies designed to help its citizens and not for profit-making.

The Nigerian Public Service and Ethical Issues

The Public Service which comprises of (Ministers, Department and Agencies) has always been the tool available to the Nigerian government for the implementation of development goals and objectives. It is seen as the pivot for the growth of African economies. It is responsible for the creation of an appropriate conducive environment in which all sectors of the economy can operate maximally. The public service supports economic development by providing enabling development policies to advance development objectives in the economy. The functions of public service include:

1. Implementing and enforcing economic, political and social policies of the current government
2. Designing and implementing public service
3. Raising revenue for the government
4. Ensuring managerial, political and financial accountability
5. Serving the people
6. Monitoring and evaluating the performance of organizations (Public, Private or non-governmental) that are rendering service on behalf of the government
7. Driving all development initiatives.

Citizens expect the government (and its actors) to be ethical just as they expect from any other kind of business Ezeani, (2006) Thus, Bonzek (1991), observed that today's public managers face an increasingly complex ethical dilemma, often having to weigh personal value of giving a job to an unqualified relative may conflict with the professional value of giving a job to a qualified applicant who is not related to a public manager.

Ethics in the Nigerian public service can be briefly summarized into impartiality, meritocracy, honesty, transparency, loyalty, discipline, courtesy etc. In the public sector, the acceptance of bribes and secret profits, and the use of spare time are regulated by statute. The fifth schedule of the 1999 constitution of the Federal Republic of Nigeria provides that a public officer must not put himself in a position where his personal interest conflicts with his duties and responsibilities. A public officer must 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 (FGN, 1999; Uvieghara, 2001).

Details of the Code governing the conduct of public officers and for which a violation would amount to corruption is reproduced below:

1. A public officer shall not put himself in a position where his interest conflicts with his duties and responsibilities.
2. Without prejudice to the generality of the foregoing paragraph a public officer shall not

- (a) Receive or be paid emoluments of any public office at the same time as he receives or is paid the emoluments of any other public office; or
 - (b) Except when he is not employed on full-time basis, engage or participate in the management or running of any private business, profession or trade; but nothing in this paragraph shall prevent a public officer from engaging in farming or participating in the management or running of any farm.
3. The President, Vice President, Governors, Deputy Governors, Ministers of the government of the Federation and Commissioners of the Government of States, members of the National Assembly and the Houses of Assembly of the States and such other public officers or persons, as the National Assembly may by law prescribe shall not maintain cooperate a bank account in any country outside Nigeria.
 4. A public officer shall not, after he retires from public service and while receiving pension from public funds, accept more than one remunerative position as Chairman, Director or employee of a company owned or controlled by the government or public authority or receive any other remuneration from public funds in addition to his pension and the emolument of such one remunerative position.
 5. (1) Retired public officers who have held offices to which the paragraph applies are prohibited from service or employment in foreign companies or foreign enterprises.
(2) The paragraph applies to the office of the President, Vice, President, and Chief Justice of Nigeria. Governor and Deputy Governor of a State
 6. (1) A public officer shall not ask for or accept any property or benefit 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.
(2) For the purpose of sub-paragraph (1) of this paragraph the receipt by a public officer of any gifts or benefits from commercial firms, business enterprises or persons who have contracts with the government shall be presumed to have been received in contravention of the said sub-paragraph unless the contrary is proved.
(3) A public officer shall only accept personal gifts or benefit from relatives or personal friends to such extent and on such occasions as are recognized by custom:-
Provided that any gift or donation to public officer on any public or ceremonial occasions shall be treated as gifts to the appropriate institution represented by the public officer, and accordingly, the mere acceptance or receipt of any gifts may not be treated as a contravention of this provision.
 7. The President, or Vice-President, Governor or Deputy Governor, Minister of the Government of the Federation or Commissioner of a State or any other public officer who holds office of Permanent Secretary/ Director-General or head of any public corporation, University or other Parastatal, Organization shall not accept;
 - (a) A loan, except from government or its agencies, bank, building society or other financial institution recognized by law, and
 - (b) Any benefit of whatever nature from any company, contractor, or businessman, or the nominee or agent of such person: Provided that the head of public corporation or of a university or other parastatal organization may, subject to the rules and regulations of the body, accept a loan from such body.

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.

A public officer shall not do or direct to be done in abuse of his office an arbitrary act prejudicial to the rights of any other persons knowing that such act is unlawful or contrary to any government policy. A public officer shall not be a member of, belong to, or take part in any secret society and or any society the membership of which is incompatible with the functions and dignity of his office.

8. Every public officer shall within 3 months after taking office and thereafter:
 - (a) At the end of every four years; and
 - (b) At the end of his term of office;
1. Submit to the Code of Conduct Bureau a written declaration of all his properties, assets and liabilities and those of his spouse, or unmarried children under the age of 21 years.
2. Any statement in such 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 Code.
3. Any property or asset acquired by a public officer after any declaration required under this constitution and which is not fairly attributable by subparagraph (1)(a) of this gifts or loan approved by the code shall be deemed to have been acquired in breach of this Code unless the contrary is proved.
9. Any allegation that a public officer has committed a breach of or has not complied with the provision of this Code shall be made to the Code of Conduct Bureau.

A public officer who does any act prohibited by this Code through a nominee, trustee, or other agents shall be deemed ipso facto to have committed a breach of this code.

10. In its application to public officers
 - (a) Members of legislative houses shall be exempted from the provisions of paragraph 4 of this code; and
 - (b) The National Assembly may by law exempt any cadre of public officers from the provisions of paragraph 4 and 11 of this code if it appears to it that their position in the public service is below the rank which it considers appropriate for the application of this provision.
11. Political office holders are expected to familiarise themselves with the rules and regulations regarding their behaviour while in office.

Application of Ethical Standards in the Public Service

The application of ethical standards in the public service is defined by expected behaviors or conducts expected by a public officer. These include,

(i) **Discrimination**

A public officer is not expected to discriminate against any citizen on the grounds of place of origin, sex, religion, status, ethnic or linguistic association. This is clearly stated in Nigeria constitution, which commits the state to the ideals of national integration. As instruments of state policy, public officers are expected to set the highest examples in pursuing these noble objectives.

(ii) **Discipline**

This is the hallmark of a responsible public officer. Strict adherence to the rules and regulations of the public service is a must for a civil/public servant. As a senior officer, it is imperative that an officer complies with the code of Conduct and ensures that subordinates do the same.

(iii) **Loyalty**

Loyalty should be an integral part of the behaviour of a public officer. This implies faithfulness to the nation and the employer and supportive of the aims for which one is an employee

(iv) **Honesty and transparency**

These should be cardinal principles for any individual holding public office and should be demonstrated in conducting official duties and in dealing with members of the public. This means that the public officer should be conscientious on duty. All his actions must be clear and self-evident. Public officers should not demand or receive anything in return for performing official duties.

(v) **Accountability**

A public officer should display responsible stewardship for all items, money, materials and men placed under his supervision. This implies that all government property entrusted with a Public officer should be properly accounted for viz strict adherence to the civil service rules, financial regulations and all other circulars pertaining to the disbursement, management and reporting on same.

(v) **Respect for constituted authority**

A public officer should show unqualified respect for constituted authority and the country at large.

(vii) **Punctuality and absenteeism**

A Public officer should endeavour to be punctual at his place of work. Public officers should also not absent themselves from work except on approval.

Challenges of Ethical Issues in the Nigerian Public Service

The Nigerian public service is the foundation of the Nigerian government policy implementation framework. This is hugely marred by irregular government and decisions as it tries to build the government of the day. The role of political office holders or those who occupy elective or appointive political posts at all levels of government is clearly defined by the

constitution. The executive arm of government has the main task of determining the policies and programmes of government at the relevant level. It sees to the general direction of the polity under the current dispensation, the legislature is also critical; it performs both oversight functions and lawmaking. Both executive and legislature are required to adhere to the rule of law and due process public expenditure must be within what is appropriated. The principal cause of manifest and latent conflict is the non-adherence to powers and responsibilities granted each body by the law. Often we see interference by especially the executive arm of government in a purely administration sphere. This is typical in matters relating to recruitment, promotion, placement and discipline of staff, award of contracts and so on.

Undue politicization of the civil service, contrary to established guidelines and procedures, is also a source of conflict. Starving and strangling the public service of its needed resources especially funds with which to carry out its assignments. Other issues of contention are the apparent lack of conducive work environment and poor condition of service. The wages of a fresh graduate employee of the service can hardly guarantee the satisfaction of his basic needs. Many cases of sharp practices can be linked to this basic problem.

Yet, as Maslow (1943) has argued, meeting workers needs is a prerequisite for efficient performance. Meanwhile, political office holders and civil service seem to be one of the distrust. There is the growing expectation of the capacity of the public service to resolve major issues plaguing them seem to be waning. Today an average citizen sees the political and key public servants appropriating more than their needed and due share of public resources.

The pattern of interpersonal relations within the civil service also involves disagreement. This is obvious; it is a social setting where people differ in terms of values and interest though bound by the common bond of work relationships (Albrow, 1978). In essence, conflicts do occur over a number of issues and may take several forms. Regardless of their nature and intensity, they have serious implications for the development of personal and collective ethical standard of work.

The lack of good ethical standard in the Nigeria public sector is first of all the major challenge plaguing the service. For the teeming populace to have value for service received. The discussion of ethics in public administration started not too long ago among scholars and practitioners in the field. Gow (2005), posited that the study of ethics is relatively a recent phenomenon in public administration. Henry (1999, 399) observed that “prior to the abandonment of politics/administration dichotomy and the principle of administration, the public service needed morality no more than a hotel clerk carrying out his or her daily duties”.

Ikeanyibe (2009) it is observable that laws or rules represented by the classical contribution of Max Weber to bureaucracy cannot guarantee moral behavior. Ikeanyibe (2009) posited further that these rules are meant to ensure accountability, and “can hardly be effective when the conduct of public officials is not controlled internally by certain ethical values and standard personally cherished and admitted.” He submitted conclusively that “it is this personal moral conviction that can guarantee right actions even in an environment of reduced supervision and bureaucratic control.”

Ikeanyibe (2009), as follows, gives answers to what significance is ethics to public service; ethics as the science of human acts furnishes the norm by which relations among men are regulated. It shows what such relations must be and indicates the reasons that require them to be so, and how it guides/stipulates codes guiding human actions in many aspects of life and to a greater extent, the study of ethics should enable us to see the defects in our own and other peoples conducts and to understand their exact nature so that we are better able to set things right in our own conduct and to make profitable suggestion to others.

Ikeanyibe further emphasized ethical standard is a societal strategy for improving human life through the preservation of a more humane ecosystem and for attaining social and global harmony through the public service. It has intertwining link with religion, implying that it shares close affinity with religion. Most religions are built on the fundamental principle that good conduct will be rewarded and bad and evil punished. This link with religion provides an ultimate for right deeds and aversion for evil.

Conclusion and Suggestion for Improvement

The study examined issues and challenges of ethical standards in the Nigeria public service. Despite the setbacks observed, the study underscores the role of ethical conducts for an effective civil service in the country. Against this backdrop, the study suggests that to ensure that public officers cultivate appropriate conduct and ethics in conduct of government business public servants must be adequately trained to uphold public and not personal interest.

Also, public service employment process must be based on merit, qualification and fitness (medically). Promotions must also be based on performance and result. Public servants must be seen to ethically treat the public (customers) with courtesy and services rendered in a timely, qualitative and satisfactory manner.

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