



Relevance of Administrative Law to Public Administration Practice and Employee Performance in Nigeria

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Abstract

This paper examines the relevance of administrative law to public administration practice and employee performance in Nigeria. Administrative law provides the legal and institutional framework that regulates public administration, promotes accountability, and ensures fairness, transparency, and efficiency in government institutions. The study discusses key principles such as judicial review, natural justice, *ultra vires*, delegation of authority, and administrative accountability, and analyses their influence on employee discipline, ethical conduct, motivation, and workplace productivity. The paper also examines major challenges affecting the implementation of administrative law in Nigeria, including corruption, bureaucratic inefficiency, weak institutional enforcement, and political interference, which undermine governance and employee performance. Using a descriptive research approach based on secondary data from textbooks, journal articles, legal documents, and judicial authorities, the study finds that effective application of administrative law enhances due process, institutional accountability, and public sector effectiveness. The paper concludes that strengthening administrative law enforcement, judicial oversight, and administrative reforms is essential for improving employee performance and sustainable public administration practice in Nigeria.

Keywords: *Administrative law, Public administration, Employee performance, Judicial review, Accountability, Governance, Public sector productivity*

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Background to the Study

Administrative law is a fundamental branch of public law concerned with the organization, powers, procedures, and accountability of governmental administrative agencies. It provides the legal framework through which public institutions exercise authority, formulate policies, implement decisions, and deliver public services while remaining subject to constitutional and legal limitations. Administrative law serves as a critical mechanism for ensuring that public authorities act lawfully, fairly, reasonably, and within the scope of powers granted to them (Wade & Forsyth, 2014). In contemporary governance systems, administrative law occupies a central position in promoting accountability, transparency, the rule of law, and good governance. The expansion of governmental functions and the increasing complexity of public administration have resulted in administrative agencies exercising broad discretionary powers that significantly affect citizens' rights, economic activities, and societal welfare. Consequently, legal mechanisms are required to regulate administrative conduct, prevent abuse of power, and safeguard public interest (Aiyede, 2006).

In Nigeria, administrative law derives its authority from constitutional provisions, statutes, delegated legislation, and judicial precedents. The Constitution of the Federal Republic of Nigeria 1999 (as amended) establishes the legal foundation for governmental powers, judicial oversight, and the protection of fundamental rights. Through administrative law, ministries, departments, and agencies are regulated in their exercise of powers, decision-making processes, and interactions with the public.

Judicial review constitutes one of the most important instruments for enforcing administrative law in Nigeria. The courts exercise oversight over administrative agencies to ensure compliance with legal procedures, observance of natural justice, and adherence to constitutional and statutory limits. Nigerian courts have applied doctrines such as *ultra vires*, procedural fairness, reasonableness, and legitimate expectation to scrutinize administrative actions. A notable example is *Legal Practitioners Disciplinary Committee v. Chief Gani Fawehinmi* (1985), where the principle of fair hearing in administrative proceedings was reinforced.

Despite the recognized importance of administrative law in strengthening governance and institutional accountability, Nigerian public administration continues to experience serious challenges, including bureaucratic inefficiency, corruption, abuse of administrative discretion, weak institutional capacity, and inadequate transparency. These challenges undermine effective public service delivery and weaken citizens' confidence in governmental institutions. Although constitutional safeguards and judicial review mechanisms exist, their implementation and enforcement often remain weak, thereby limiting the effectiveness of administrative law as a tool for accountability and good governance (Olowu, 2002). Furthermore, the increasing complexity of governance in Nigeria—characterized by expanding regulatory functions, socio-economic demands, and technological transformation—raises concerns about the adequacy of existing administrative law frameworks in ensuring that government agencies operate within the boundaries of their legal authority and effectively protect the public interest. Weak application of core administrative law principles, including natural justice, fair hearing, procedural propriety, and the doctrine of *ultra vires*, continues to pose significant governance challenges within the Nigerian administrative system.

Against this backdrop, examining the role of administrative law in Nigeria's public administration becomes both necessary and timely. Such examination is significant because it contributes to understanding how administrative law functions as a mechanism for regulating government authority, promoting accountability, and protecting citizens against unlawful administrative conduct. The study provides valuable insights for policymakers, public administrators, legal practitioners, and scholars seeking to strengthen administrative law frameworks and improve governance outcomes in Nigeria. Additionally, it contributes to ongoing debates on institutional reform, transparency, and public sector accountability in developing democracies. By analyzing the relationship between administrative law and public administration in Nigeria, this study aims to provide knowledge that can inform legal reforms, enhance governance practices, and strengthen the protection of citizens' rights within the public administration system.

Literature Review

Administrative Law

Administrative law is a branch of public law that regulates the powers, functions, and operations of governmental administrative agencies. It defines the legal framework within which public authorities exercise discretion, implement policies, and interact with citizens. According to Wade and Forsyth (2014), administrative law is primarily concerned with “controlling the powers of government authorities and ensuring that they act within the limits of the law.” A central theme in conceptual literature is that administrative law acts as a control mechanism over executive power, ensuring that governmental agencies do not act arbitrarily. Dicey's classical theory of the rule of law emphasizes equality before the law and judicial control over administrative actions, although modern administrative law has expanded beyond Dicey's narrow interpretation to accommodate complex governance systems.

In contemporary governance literature, administrative law is understood as a tool for promoting accountability, transparency, fairness, and efficiency in public administration. Aiyede (2006) argues that administrative law in developing democracies like Nigeria is essential for strengthening democratic governance and institutional legitimacy.

Core Principles in Administrative Law Literature

1. Ultra Vires Doctrine

The doctrine of *ultra vires* is a foundational principle in administrative law literature. It holds that administrative bodies must act strictly within the powers granted to them by statute or the constitution. Any action taken beyond these powers is considered invalid. Wade and Forsyth (2014) emphasize that *ultra vires* remains the “cornerstone of judicial control over administrative action.” In practice, this doctrine prevents abuse of discretion and ensures that public authorities remain legally bounded.

2. Natural Justice

The principle of natural justice is one of the most widely discussed concepts in administrative law literature. It is built on two main pillars:

- i. Audi alteram partem (right to be heard)
- ii. Nemo iudex in causa sua (no one should be a judge in their own cause)

Scholars such as De Smith (2013) argue that natural justice ensures procedural fairness in administrative decision-making. It guarantees that individuals affected by administrative actions are given fair hearing and that decision-makers remain impartial. In Nigeria, courts have consistently applied this principle. In *Ondo State v. Durotimi* (2010), the court emphasized that disciplinary proceedings must comply with the right to fair hearing under Section 36 of the 1999 Constitution. Similarly, in *Garba v. University of Maiduguri* (1986), the Supreme Court nullified disciplinary action taken without fair hearing.

3. Proportionality Principle

The principle of proportionality requires that administrative actions must not exceed what is necessary to achieve a legitimate governmental objective. It is widely developed in European administrative law literature and increasingly applied in common law jurisdictions. According to Craig (2016), proportionality ensures a balance between public interest and individual rights. Although not historically dominant in Nigerian jurisprudence, it is gradually influencing judicial reasoning, particularly in human rights-related administrative cases.

4. Legitimate Expectation

The doctrine of legitimate expectation arises when a public authority creates an expectation—through representation, promise, or consistent practice—that a certain procedure or benefit will be provided. Scholars argue that this doctrine enhances administrative fairness and predictability. Wade and Forsyth (2014) note that legitimate expectation prevents public authorities from acting inconsistently without justification. In Nigeria, while not fully developed, courts have occasionally recognized the importance of consistency in administrative conduct, particularly where abrupt policy changes affect rights or benefits.

Literature on Judicial Review

Judicial review is the most significant mechanism of controlling administrative power. It allows courts to examine the legality of administrative actions and ensure compliance with statutory and constitutional provisions. Wade (2014) describes judicial review as the “heart of administrative law,” emphasizing that courts do not assess the merits of decisions but ensure legality, rationality, and procedural fairness. The traditional grounds of judicial review include:

- a) Illegality – acting beyond statutory powers
- b) Irrationality – decisions that defy logic or reason
- c) Procedural impropriety – failure to follow due process

In Nigeria, judicial review is grounded in constitutional provisions and reinforced through case law.

Administrative Law and Its Relevance to Public Administration

Administrative law refers to the body of law that regulates the powers, functions, and procedures of public administrative agencies. According to Wade and Forsyth (2014), it ensures that public authorities act within the limits of their legal powers and adhere to principles of fairness, reasonableness, and procedural propriety. In public administration practice, administrative law performs the following key functions:

- a) It regulates decision-making processes in government agencies
- b) It ensures accountability and transparency in public service delivery
- c) It protects citizens and employees against arbitrary administrative actions
- d) It provides mechanisms for redress through judicial review and administrative appeals

Aiyede (2006) emphasizes that administrative law is essential in strengthening democratic governance in Nigeria by ensuring that public officials act in accordance with the rule of law rather than discretion or political influence.

Administrative Law and Employee Performance

Literature on public sector performance highlights a strong relationship between legal frameworks and employee productivity. Administrative law influences employee performance by establishing:

- a) Clear rules of conduct
- b) Standardized disciplinary procedures
- c) Accountability mechanisms
- d) Performance evaluation systems
- e) Protection of workers' rights

Studies on Nigerian public sector governance shows that where administrative law is weakly enforced, employee performance tends to decline due to corruption, lack of accountability, and bureaucratic inefficiency (Olowu, 2002; Nkogbu & Akpesiri, 2015). For instance, empirical findings by Nkogbu and Akpesiri (2015) indicate that governance structures and administrative reforms significantly affect employee motivation and productivity in the Nigerian civil service. Similarly, recent literature on performance management in Nigeria reveals that weak enforcement of administrative rules leads to poor supervision, low accountability, and reduced efficiency among public servants (Ijewereme, 2023).

Administrative Law and Governance Efficiency in Nigeria

The theoretical foundation of administrative law is grounded in the rule of law theory, which emphasizes that all government actions must be subject to legal constraints. Dicey's classical theory of the rule of law underscores equality before the law and legal supremacy over arbitrary governance. Wade and Forsyth (2014) extend this theory by arguing that administrative law serves as a “control mechanism” over executive discretion, ensuring that public administration remains lawful and rational. In Nigeria, scholars such as Akindele argue that weak enforcement of administrative law principles undermines governance effectiveness and contributes to institutional decay. This aligns with findings that corruption and lack of accountability remain major challenges in Nigerian public administration systems (Olowu, 2002).

Empirical studies on Nigeria consistently show that administrative law plays a critical role in shaping governance outcomes and employee behavior in the public sector.

1. Governance and Public Accountability

Ndukwe (2018) argues that administrative law is essential for ensuring public accountability in Nigeria. However, the study identifies weak enforcement mechanisms, corruption, and institutional inefficiency as major obstacles to effective implementation. Similarly, Adegbami and Ganiyu (2023) found that despite constitutional provisions and legal frameworks, administrative law in Nigeria is often undermined by elite interference and poor institutional compliance.

2. Employee Performance and Public Sector Efficiency

Research shows a strong link between governance systems and employee performance in Nigeria. For example, performance management systems and administrative reforms have been shown to improve efficiency when properly implemented (Ijewereme, 2023). However, challenges such as inadequate training, weak supervision, poor motivation, and lack of accountability continue to negatively affect employee productivity in the Nigerian civil service (Ukwandu & Onyema, 2019). As noted in broader public administration literature, employee performance is highly dependent on governance structures that ensure fairness, clear procedures, and consistent enforcement of administrative rules (Asif & Rathore, 2021).

3. Judicial Control and Administrative Accountability in Nigeria

Judicial review is a central mechanism for enforcing administrative law and ensuring accountability in public administration. It allows courts to examine administrative actions to determine whether they comply with legal and procedural requirements. Wade (2014) identifies three major grounds for judicial review:

- a) Illegality
- b) Irrationality
- c) Procedural impropriety

In Nigeria, these principles have been consistently applied by courts.

Case Law Evidence

Abacha v. Fawehinmi (2000)

The Supreme Court emphasized the importance of judicial review in controlling executive excesses. The unlawful detention of the respondent demonstrated the need for adherence to due process and protection of individual rights.

Shugaba v. Minister of Internal Affairs (1981)

The court invalidated the deportation order against Shugaba, reinforcing the principle of procedural fairness and protection of citizenship rights. These cases illustrate how administrative law enhances accountability and limits abuse of power in public administration.

The reviewed literature demonstrates that administrative law is fundamental to effective public administration practice and employee performance in Nigeria. It provides the legal framework for accountability, fairness, and efficiency in governance. However, weak enforcement, corruption, and institutional inefficiencies continue to limit its effectiveness.

Empirical and theoretical studies consistently show that where administrative law principles are properly applied, public sector performance improves significantly. Conversely, poor enforcement leads to bureaucratic inefficiency and declining employee productivity.

Challenges Facing Administrative Law in Public Administration Practice in Nigeria

1. Weak Institutional Enforcement and Rule of Law Deficit

One of the major challenges is the weak enforcement of administrative law principles within public institutions. Although Nigeria operates a constitutional democracy, administrative agencies often act with wide discretionary powers without strict adherence to legal procedures. This weak enforcement undermines the doctrine of legality and weakens accountability mechanisms (Ndukwe, 2018). Olowu (2002) observes that institutional weakness in African public administration systems contributes to poor governance outcomes, as laws exist but are not effectively implemented. This gap between law and practice reduces the effectiveness of administrative law in regulating public administration behavior.

2. Corruption and Abuse of Administrative Discretion

Corruption remains one of the most significant challenges in Nigerian public administration. Studies show that administrative corruption distorts decision-making processes, undermines fairness, and reduces employee productivity (Atakpa & Akpan, 2023). Public officials often misuse discretionary powers for personal or political gain, leading to inefficiency and loss of public trust. The persistence of corruption weakens compliance with administrative law principles such as fairness, transparency, and accountability, thereby negatively affecting employee morale and performance.

3. Bureaucratic Inefficiency and Red Tape

Nigerian public administration is characterized by excessive bureaucracy, rigid hierarchical structures, and slow decision-making processes. This inefficiency delays administrative procedures and reduces responsiveness to public needs. Empirical studies indicate that bureaucratic inefficiency in Nigeria is driven by outdated administrative procedures, weak institutional capacity, and lack of modern management practices (Akinsanmi et al., 2022). Such inefficiencies reduce employee motivation and hinder effective service delivery.

4. Political Interference in Administrative Processes

Political interference in recruitment, promotion, and disciplinary processes significantly undermines administrative law in Nigeria. According to Ibeh and Onwuzuruike (2025), politicization of the civil service leads to nepotism, weak meritocracy, and reduced professionalism. This interference disrupts the neutrality of administrative institutions and weakens employee performance, as appointments and decisions are often influenced by political considerations rather than competence.

5. Weak Judicial and Administrative Accountability Mechanisms

Although judicial review is an essential mechanism for enforcing administrative law, access to justice in Nigeria remains limited due to delays, high costs, and procedural complexities. Administrative tribunals and internal appeal mechanisms are also often weak or lack

independence. Ndukwe (2018) notes that weak oversight and enforcement mechanisms allow administrative abuses to persist, thereby undermining accountability in public administration.

Strategies to Improve Administrative Law in Public Administration Practice and Employee Performance

1. Strengthening Institutional Enforcement and Rule of Law

There is a need to strengthen institutional frameworks for enforcing administrative law. This includes ensuring that all public agencies strictly adhere to constitutional provisions, statutory regulations, and judicial precedents. Wade and Forsyth (2014) emphasize that the rule of law is fundamental to controlling administrative discretion. Strengthening enforcement mechanisms will improve compliance and enhance employee discipline and performance.

2. Anti-Corruption Reforms and Transparency Mechanisms

To address corruption, Nigeria must deepen anti-corruption reforms by strengthening institutions such as the EFCC and ICPC and improving transparency in administrative processes. The adoption of digital governance systems such as the Treasury Single Account (TSA) and Integrated Payroll System (IPPIS) has already shown potential in reducing corruption and improving accountability (Abdulkareem et al., 2021). Greater transparency enhances employee accountability and improves performance by reducing opportunities for abuse of office.

3. Administrative Reforms and Bureaucratic Simplification

Reforming Nigeria's bureaucratic structure is essential for improving administrative efficiency. This includes reducing excessive red tape, simplifying procedures, and adopting performance-based management systems. Recent policy discussions on restructuring government agencies highlight the need to eliminate duplication and improve efficiency in public service delivery (Reuters, 2024). Such reforms would enhance responsiveness and improve employee productivity.

4. Depoliticization of the Civil Service

Depoliticizing the civil service is critical for strengthening administrative law and improving employee performance. Recruitment and promotion processes should be strictly merit-based to ensure professionalism and efficiency. Ibeh and Onwuzuruike (2025) argue that reducing political interference enhances bureaucratic stability, improves morale, and strengthens institutional performance.

5. Strengthening Judicial Review and Administrative Tribunals

Judicial review remains a key mechanism for ensuring compliance with administrative law. However, its effectiveness can be improved by reducing delays in court processes and strengthening access to justice. In addition, specialized administrative tribunals should be empowered to handle disputes efficiently, ensuring faster resolution of administrative grievances and improving trust in public institutions.

6. Capacity Building and Employee Training

Continuous training and capacity development are essential for improving employee performance in the public sector. Public servants must be trained on administrative law principles, ethical standards, and modern governance practices. Iheanacho (2017) emphasizes that inadequate training contributes significantly to inefficiency in the Nigerian public service. Strengthening human resource development will improve both compliance and performance.

Conclusion

The effectiveness of administrative law in Nigeria's public administration system is constrained by corruption, weak enforcement, bureaucratic inefficiency, and political interference. These challenges negatively affect employee performance and reduce the effectiveness of public service delivery. However, through institutional reforms, anti-corruption measures, depoliticization, capacity building, and strengthened judicial oversight, administrative law can be repositioned as a powerful tool for improving governance and enhancing employee performance in Nigeria's public sector.

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