

Managing Discipline Problems in the Contemporary Nigerian Civil Service for Sustainable National Development

Awodele-Fayomi, Ikeoluwapo Omolara (PhD)
Department of Public Administration, Obafemi Awolowo University, Ile-Ife, Nigeria

Abstract

The Nigerian Civil service has made tremendous contributions to nation building, yet the general impression today of this expensive core of the public sector is that of widespread moral degeneration. This is manifesting in diverse discipline problems of various typologies, nature and dimensions with devastating effects on governance and developmental process. It is in the light of the above, that this study is initiated as no meaningful national development can be facilitated by any bureaucracy that is pervaded with indiscipline. The objectives of the study are to conceptualize discipline; examine and critique the institutionalized Public Service Rules (PSR) on Discipline in Chapter Four of the manual, and offer suggestions on how to manage discipline problems in the contemporary Nigerian Civil Service for national development. The study made use of both primary and secondary sources of data collection. The study showed that in spite of the PSR for checks and disciplinary actions being taken against erring officers, indiscipline still remains a great challenge in the system. The study revealed that the image of the Nigerian Civil Service that emerged in the study is neither that of a saint nor an outright villain. The environment in which it operates dictate its character, and not by its own choice or design *per se*. The bitter truth also is that no Civil Service the world over is perfect, though degree of indiscipline may differ. The study suggested application of due process mechanism, legal compliance, humanistic and leadership impressionist approaches.

Keywords: Discipline; Indiscipline; Nigerian Civil Service; Public Service Rules; National Development.

Introduction

Every organization serving public or private interests, has a corporate vision and mandate. Organization is made up of people who work in groups but all the groups are expected to work towards the achievements of the common organizational goals. This means, there must be peaceful co-existence of groups and absolute respect for rules and regulations in order for the organization to achieve business effectiveness and efficiency. With respect to the Civil Service, which is the focus of this study, it is management in the public sector, which is not an end in itself but means to ensure effective and efficient public service delivery on which lies its probity, integrity and responsiveness. In the context of Public Administration, the Civil Service is the administrative arm of Government, an agent, organ and machinery of Government in the governance and developmental processes of any country the world-over. Hence, the effectiveness of a government is to a large extent determined by the efficiency and competence of its Civil Service.

From the foregoing, it will be a disservice to the nation if it possesses a public work force that exhibits negative work, defecting behaviour that are unwholesome to the attainment of institutional goals and objectives. In other words, the employees' efficiency, effectiveness or productivity drive in the Civil Service is contingent on the promotion and maintenance of discipline if the institution is to be public-serving indeed.

However, in the contemporary Nigeria, the impression that emerges about the Nigerian Civil Service is one that is inefficient, wasteful, largely self-serving and of general moral degeneration which are all functions of indiscipline. Generally speaking, there is no Civil service the world-over without its ills. But in the case of the Nigerian Civil service, it is the nature, typology and dimension that is worrisome and alarming. It has impacted negatively a great deal on governance and developmental process in the country. The desire of successive governments to stem the rising wave of indiscipline in the public sector in Nigeria informed the mass purge of 1975 and 1984 respectively.

The Jaji Declaration of 1977, the setting up of institutions like the Code of Conduct Bureau, Directorate for Social Mobilization for Self Reliance and Economic Recovery (MAMSER), National Orientation Agency (NOA), Government publications like the Public Service Rules, Civil Service Handbook, Civil Service Manual, Circulars, Reforms Initiatives, Public Enlightenment, etc were the other activities to combat indiscipline. In spite of these various steps and moves, hardly a week passed without a report of one indiscipline act or the other. Thus, instead of the indiscipline problem to show signs of abating, it has ironically continued in multi-dimensional manner. The most disturbing fact of this situation is that the top Civil Servants are also involved in this moral degeneration.

The implication of the efforts of the succeeding governments to abate indiscipline in the system showed that government accepts and admits the existence of the work-defeating attitudes in the institution. It also indicated that not only is indiscipline acts prevalent or pronounced but its destabilizing effect is being experienced on governance and developmental processes. Thus government could no longer ignore its existence,

as it is now widely believed to be quite endemic. It thus implies that discipline problems have now become a matter of concern not only to the Nigerian government, but also to the non-governmental organizations, international development agencies and individuals.

The problem of discipline in Nigerian Civil Service has reached a revolutionary situation that requires drastic measures that go beyond mere or ordinary selective administrative reforms. This becomes imperative as sustainable national development will never take place in any society where the Civil Service- the hub, engineer and harbinger of much desired transformation is devoid of desirable moral and ethical principles.

Arising from the highlights above, the study aimed at identifying the prevailing discipline problems in the Nigerian Civil Service and their impact on the system, examine the existing disciplinary procedures and measures, and possible policy measures to remedy the situation for sustainable national development. The study employed primary and secondary sources of data collection. The primary source applied was oral interview with purposively selected top echelons in the Federal Civil Service Commission (FCSC), some members of Office of the Head of Service of the Federation (OHSF), the Directors of Administration and Human Resources, and Management Staff in the selected Government Ministries. The secondary data were primarily government publications like the Public Service Rules (PSR), texts and daily newspapers.

1.0 Discipline and National development

It now seems apt to return to the title of this paper. For the purpose of clarity, an attempt will be made to define the key words in the title with the view to understand their linkage with sustainable national development. The concept of discipline has a variety of connotations; hence the word itself cannot be given a universally accepted definition. It can mean respect to constituted authority; to observe the established rules and regulations; to maintain an established standard of behavior; or it can be used as euphemism for punishment or sanction employed to correct misbehavior (Tread, 1958). Webster's Dictionary gives three meanings of the concept discipline. First, it is the training that corrects, moulds, strengthens, or perfects. Second, it is a control gained by enforcing obedience. The third meaning is punishment or chastisement. Megginson (1977) also offers three distinct meanings of the word discipline. According to him, discipline involves the following three things:

- i. Self Discipline;
- ii. Orderly Behaviour, and
- iii. The act of training and punishing.

By self discipline, the scholar means one's efforts at self control for the purpose of adjusting oneself to certain needs and demands. This form of discipline is based on two psychological principles. First, punishment seldom or rarely produces desirable results. Secondly, a self-respecting person tends to be a better worker than the one who is not. The second concept according to him refers to discipline as the condition which must exist for any orderly behavior in an organization through efforts that build up morale and *esprit de corps* while the third concept considers discipline as a judicious process based on training and punishment. Its function is not to change past behavior but to prevent its recurrence in future.

Discipline derives from disciple – disciple to a philosophy, disciple to a set of principles, disciple to a set of values, disciple to an overriding purpose, to a super-ordinate goal or person who represents that goal, Covey (2003). The BBC English Dictionary (1992) perceives discipline as the practice of making people obey rules and punishing them when they do not. It also denotes the quality of always behaving or working in a controlled way.

In the context of the Nigerian public administration, one had found from experience that there are two common usages of the word "Discipline" among Nigerian Civil Servants. The first usage is a noun in such statement as "the Director accused his officer of lack of discipline. The second is as a verb. "The Director threatened to discipline his officer for insubordination". In the first usage, discipline connotes "self-control and obedience gained as a result of training the mind and body e.g. "Our Director is a man of discipline" To discipline an officer is to invoke the prescribed measures necessary for handling undesirable work behaviour in the service. This is to produce obedience and self-control in erring civil servants, to deter him/her from unbecoming behaviours. Thus, the word discipline is used interchangeably among the Nigerian civil servants to denote both the extent or degree of obedience and self-control in officers and the application of prescribed measures, which are intended to correct any social ill of some officers when necessary.

In the context of the various definitions of discipline given above, discipline can be defined as a certain type of order, designed to help individuals deal with demands from their environment that go counter to demands that the individual might wish to make on their environment. As well, one can also deduce from the definitions that there are two major kinds of discipline. The first is that which is imposed by an external authority or laws, in which case, discipline is demonstrated because of fear of punishment. This type of discipline appears superficial to his natural behaviour. Once the authority imposed upon him is removed, he displays indiscipline acts. Example is in the armed forces where laws are obeyed primarily because people feel they should be obeyed officially rather than because they belief in obeying them.

The second type of discipline is when one has the ability to distinguish between right and wrong, the good from bad. This is self-imposed discipline or positive discipline. The self-discipline or self-control originates from within the individuals, not externally imposed and is not based on fear. The urge to do what is right comes from within, as the individual does what is right and good because he believes that such behaviour is better than actions which can harm other people or objectives of the social system to which he belongs.

This first one is negative or enforced discipline because they are forced or constrained to obey orders and to perform their tasks in accordance with the rules and regulations that have been laid down, failure which they would have to suffer penalties. The second concept that forms the corner-stone of this paper is National Development. For the purpose of clarity, the proper meaning of the concept national development can only be understood by defining "Development".

Development as a concept is very popular in policy and scholarly circles today. Yet, its popularity also explains the fact that the concept has become highly controversial and subjective as it has been accorded different definitions, and it will never be defined to universal satisfaction. According to Seers (1969) development hinges on three questions, that "the questions to ask about a country's development are therefore: What has been happening to poverty? What has been happening to unemployment? What has been happening to inequality? If all three of these have declined from high levels, then beyond doubt, there had been a period of development for the country concerned. If one or two of these central problem have been growing worse, especially if all three have, it would be strange to call the result development, even if per capita income doubled". It is the belief of the scholar that development is centred on the improvement of the living condition of the individual. Todaro (1982), conceived development as:

Multi-dimensional process involving the re-organization and re-orientation of the entire economic and social system. This involves, in addition to improvement of income and output, radical changes in institutional, social and administrative structures as well as in popular attitudes, customs and beliefs.

The main pre-occupation of Todaro is that development is both a physical process and a state of mind. That is, development involves institutional transformation and change in the thinking orientation of the people. From the perception of Rodney (1972), development is a many sided process. At the level of the individual, it implies increased skills and capacity, greater freedom, creativity, self-discipline, responsibility and material well-being. In terms of social groups, the concept is expressive of increasing capacity to regulate both internal and external relationship.

From the foregoing, one sees that development is described on a wider perspective, which goes beyond individual, sectional, social group, local, state but also at the national level. Thus, national development covers the entire area of a country, not a part; it is the entire geographical coverage of a country and the overall activities of a country in terms of all socio-economic sectors or activities. Relating development to a nation, it is sustained increase in the macro economic variables like the total real national income, per capita income, industrialization, growth of urban industrial centres, social and political stability, improved people's standard of living, advancement in the whole sectoral economy, improved employment creation and poverty alleviation, and general growth of all sectors. Whichever way development is conceived, it is meant at improving the general living standard of the mass of the population and making the progress of their development self-sustaining. That is, maintenance of a balance between welfare of the people and mobilization and allocation of societal resources. Having conceptualized "Discipline and "national development" in this paper, it becomes apt at this juncture to deduce linkage between the two concepts as it relates to the Nigerian Civil service. Thus, if the contemporary Nigerian Civil Service must justify its existence and relevance in nation building or transformation of today Nigeria, discipline of the institution becomes the only option. This was the condition as it obtained in the first decade of Nigeria's independence in 1960 when the institution made itself obvious indispensable engine of developmental strides in the country. One thing that is clear in the global world today is that development of a nation has both qualitative and quantitative dimension. For the sake of emphasis, quantitative dimension of development that is non-material aspects such as positive values, norms, ethics or desirable attitudes which are function of discipline, indeed constitute the cement that binds the material or physical aspects of development, thus giving it internal consistency and sustenance. It is the yardstick for measuring what constitutes development in any society. The truth is that maintenance of discipline is a prerequisite to the attainment of maximum productivity, not only of any organization but also of any organ of government.

2.0 Instrument of Discipline in the Nigerian Civil Service.

The world without rule is a jungle. The provision of rules is a mark of civilization and foundation for sustainable development. Absolute freedom without self-control will always produce chaos, hence the need to balance rights with responsibilities so that individual's freedom will not lead to personal tragedy. Self-control or discipline provides boundaries within which freedom and creativity can flourish. Thus, the Nigerian Civil Service, as an administrative arm of government, is to ensure commitment, justice and fairness, proper conduct, accountability,

transparency, loyalty, discipline, patriotism or positive attitudes in the system. There are established and operational rules and regulations guiding the operation of the system. That is, the institution like every other organization has rules and regulations binding it to function accordingly. The manual which contains and spells out the established rules and regulations is called the Public Service Rules (PSR). They are about the morality of governance binding specific subjects, internal relations as well as personal and functional relationships within the system and individual civil servants, codifying the expected standards of behaviour. These rules are universal and cut across the mode operandi in the public sector.

However, the chapter which centres on behaviour rules in the Nigeria's public Service Rules (PSR, 2008) is in Chapter Three (3), codified as **Discipline**, which is the focus of this paper. The Chapter on Discipline in the PRS is divided into six (6) sections:

- Section 1 - Introduction
- Section 2 - General Inefficiency
- Section 3 - Misconduct
- Section 4 - Serious Misconduct
- Section 5 - Conduct Prejudicial To Security of the State
- Section 6 - Retirement In Public Interest

Section 1 of the PSR highlighted the schedule of Disciplinary and Adjudicative Bodies or Authorities. That is, there are three different categories of Civil Servants according to their Ranks or Salary Grade Levels (SGL) that fall under three different adjudicative bodies, which are simplified in the Table below (PRS, 2008)

Salary Grade Level of Officers	Adjudicative Authorities
GL 01 – 06	Junior Staff Committee with power to adjudicate and take decisions
GL 07 – 13	Senior Staff Committee with power to adjudicate and take decisions
GL 14 – 17	Senior Staff Committee with power to adjudicate and make recommendations to the Federal Civil Service Commission (through the Head of Service of the Federation) for final decisions.

Schedule of Disciplinary/Adjudicative Authorities

The Table above shows that the disciplinary procedures existing in the Nigerian Civil service are not the same for all the employees. The Civil Servants are grouped into three major categories according to their ranks or salary grade levels. It should be noted that the power to exercise disciplinary control over officers in the system is vested in the Federal Civil Service Commission. The Commission, however, delegated its disciplinary power to the Permanent Secretaries in the Government Ministries in respect of officers on salary Grade Level 13 and below with the exception of the power of dismissal but which can be applied only for officers on Salary Grade Level 06 and below. However, the representative of the Commission is to be represented or served as an observer on matter of discipline of officers of Salary Grade Level 07 – 13. The composition of the two adjudicative authorities on discipline as delegated by the commission is as follow:

- Grade Level 01 – 06 Officers.** The composition of the Junior Staff committee (JSC); the Director of Administration who is the chairman and minimum of six (6) or maximum of eight (8) members of officers not below Salary Grade Level 12 drawing from all the Departments in such Ministry. The quorum is five (5) members including the Chairman
- ii. **Grade Level 07 – 13 Officers:** The adjudicative authority is the Senior Staff Committee (SSC) comprising the Permanent Secretary of the Ministry as the Chairman and the Directors of all the Departments in the Ministry in which the Director of Administration is the Secretary at any giving meeting. The committee is saddled to take final decision on officers on Grade Level 07 – 13 while it makes only recommendations on officers on Grade Level 14 – 17 to the Federal Civil Service Commission through the Head of Service of the Federation for his comment. The quorum is five (5) members including the Chairman (Permanent Secretary) .

In all cases, it should be noted that the Federal Civil Service Commission acted as a moderator and an appellate body. It received returns on all decided disciplinary cases from all the Ministries, and such returns normally indicate the name, salary grade level, date of present appointment of disciplined officers and the nature of offence committed, and the punishment imposed on the officers, for its further necessary action.

It is now imperative to consider types of Discipline Problems as spelt out by the Public Service Rules (PSR), 2008. There are three main sections on it which are:

- Section Two: General Inefficiency. Rule Numbers 030201 – 030208
- Section Three: Misconduct. Rule Numbers 030301 – 030314
- Section Four: Serious Misconduct. Rule Numbers 030401 – 030434

The explanation for how the Rule Numbers are documented in the Public Service Rules (PSR) is that;

The numbering has six (6) digits, that is, first two digits represents Chapter, second two digits represents Section,

while the third two digits represents the Rule Number. It means discipline relating to the General Inefficiency codified 030201, is interpreted as Chapter three, Section Two, Rule Number One. The discipline problems captured by the PSR under the General Inefficiency, Misconduct and Serious Misconduct are:

Discipline Classification	Types/Nature
i. General Inefficiency (030201). The penalty or sanction is withholding or deferment of annual increment or termination of appointment (030206 – 030208)	Consistent omissions, incompetence, ineffectiveness, inefficiency on job schedules
ii. Misconduct (030301 – 030314). The penalty or sanction varies depending on the degree or nature of offence, ranging from suspension, surcharge, retirement, termination to dismissal (030305 – 030306)	Scandalous conduct (immoral behaviour, unruly behaviour; drunkenness, foul language, assault, battery); refusal to proceed on transfer or to accept posting; habitual lateness to work, deliberate delay in treating official document; failure to keep records; unauthorized removal of public records; dishonesty; negligence; membership of cults, sleeping on duty; improper dressing while on duty; hawking merchandize within office premises, refusal to take/carry out lawful instruction from superior officers, malingering; insubordination; discourteous behaviour to the public.
iii. Serious Misconduct (030401 – 030434): The sanction or penalty is dismissal without retirement benefits (030407)	030402: Falsification of records; suppression of records, withholding of files; conviction of a criminal charge (other than minor traffic or sanitary offence or the like); Absence from duty without leave; (AWOL); false claims against government engaging in partisan political activities, bankruptcy/serious financial embarrassment; unauthorized disclosure of official information, bribery; corruption,; embezzlement; misappropriation, violation of Oath of secrecy; action prejudicial to the security of the state; advance fee fraud (Criminal Code 419); holding more than one full paid job; nepotism or any form of preferential treatment; divided loyalty, sabotage; willful damage to public property; sexual harassment; and any other act unbecoming of a public officer.

Going through the PSR or for deep analysis, the types or nature of discipline spelt out in Chapter Three of the Manual can be grouped into five headings:

- i. **Attendance Related offences:** Unauthorized absence, lateness, leaving office without permission, abscondment.
- ii. **On-the-job Behaviour Related Offences:** Drunkenness, Sexual harassment, refusal to take or carry out lawful instruction, unofficial testimony, insubordination, fighting, omission, incompetence, and divided loyalty, refusal to accept posting or transfer, delaying official work, sleeping on duty, scandalous conduct malingering negligence, discourtesy, improper dressing, and failure to keep records.
- iii. **Dishonesty Related Offences:** False claims, dishonesty, advance fee fraud (419), holding more than one full paid job.
- iv. **Subversive Related Offences:** Sabotage, moonlighting, willful damage to public property, money lending, nepotism, misappropriation, violation of oath of secrecy, action prejudicial to the security of the State, preferential treatment, hawking merchandise within office premises, suppression of records, falsification of records, partisan politics, corruption, bribery, embezzlement, unauthorized disclosure of official information, withholding of files, membership of cults, removal of public records/documents
- v. **Legal Related Offences:** Conviction by court of law for a criminal offence, bankruptcy, serious financial embarrassment.

Here it is important to conceptualize three types of disciplinary terminologies classified in the Nigerian PSR for clear understanding:

- a. **General Inefficiency:** is a series of omissions or incompetence exhibited by an officer, and the cumulative effect of which shows that the officer is not capable of discharging efficiently the duties of the office he/she holds (PSR 030201)
- b. **Misconduct:** defined as a specific act of wrong doing or an improper behaviour which is inimical to the image of the Service, and which can be investigated, and if proved can lead to termination and retirement (PSR 0303010)

- c. **Serious Misconduct:** is a specific act of a very serious wrong doing and improper behaviour which is inimical to the image of the Service and which can be investigated and if proved can lead to dismissal (PSR 0304010)

3.1 Disciplinary Procedure In Nigerian Civil Service

The highlighted behaviour problems are examples of acts of indiscipline in the Nigerian Public Service. In the case of breach or violation of any provision of the PSR by any public servant, disciplinary proceedings in accordance with the extant rules and regulations are initiated against an officer found guilty of a specific act of indiscipline susceptible of proof. The conduct of the officer should have been in any respect blameworthy while it is in the interest of the public service as a whole that he/she be tried, and if found guilty, be punished. The purpose of any discipline in the public sector in Nigeria is either to improve future performance or behaviour of the officer concerned or serve as deterrent to others.

The disciplinary procedure is imperative before disciplinary action is exercised on a worker in order to avoid the unpleasant consequence of legal implication on the management. Thus there is need to adhere strictly to the existing operational extant rules and regulations. The essence of disciplinary procedure is to ensure due process before any disciplinary action or measure can be meted on an erring officer. It is the preliminary inquiry to know if a prime facie case of indiscipline or misconduct indeed exists. There must be indisputable proof that some standard, rule or regulation was violated by an officer as the disciplinary action must not be a gut reaction by a supervisor or authority. There must be no doubt that unsatisfactory performance has taken place, and the collection of information or data by disciplinary procedure approach clearly reflecting an officer's wrong-doing makes discipline more easier and effective to administer. This is the principle of natural justice.

In accordance with the extant due process as spelt out by the PSR 030302 – 030306 (2008), the summary of the disciplinary procedure are highlighted as follows if an officer has allegedly committed an offence:

Step i: Issuing Query. The query letter will normally state offence committed or the allegations brought against the officer with the relevant rule in the PSR violated. It will end by requesting the officer to submit his/her defense/representation in writing within a specified but reasonable period of time and to state why disciplinary action should not be taken against him/her. The average period to present his/her defense is between 24 hours and 72 hours. The query is to be issued by his/her supervisor or Head of Department.

Step ii: The representation of the officer is considered carefully by his/her supervisor (within 48 hours) and Head of Department through their comments and recommendations. If the officer is able to exculpate himself/herself in the defense, the matter normally ends there. But if otherwise, the matter is referred to the Chief Executive of the Ministry by the Head of Department (within 7 working days of receipt) who makes his/her comment and recommendations, and then minutes it to the Director of Administration and Human Resources for further necessary action (within 2 weeks of receipt).

Step iii: The Director of Administration and Human Resources considers the response and if convinced the officer deserves some punishment, the PSR 030304 shall apply without delay. The Director refers the matter to the appropriate scheduled Adjudicative Disciplinary authority or committee (within 2 weeks of receipt).

Step iv: The Adjudicative Disciplinary Authority or committee writes the officer for physical appearance (within 72 hours of receipt) to clarify certain aspects of his/her submissions or add flesh to some relevant points or even makes a fresh submission. And the officer shall enjoy fair hearing. At the end of the inquiry, the Committee or Panel writes its report containing its findings and recommendations, which shall be forwarded to the appropriate authority vested with disciplinary power (within 2 weeks). It is either the Chief Executive of the Ministry or to the Federal Civil Commission depending on the salary grade status or rank of the erring officer for appropriate disciplinary action.

Step v: If the Commission considered that the Report is fair, it may uphold the suggested disciplinary action or review it upon the officer concerned.

Step vi: But if the Commission does not consider the alleged misconduct serious enough to warrant the suggested disciplinary measure or action, it may cause another investigation to be made into the matter by itself for fair hearing and final decision on appropriate punishment

Step vii. The very appropriate disciplinary action arrived at is communicated to the erring officer found guilty (within 2 weeks).

Step viii: All disciplinary Procedures must commence and be completed within period of sixty days (60 days) except where it involves criminal cases and have be taken to police or court of law.

Step ix: The Officer is given right of appeal to the Commission within six weeks, but his/her failure to do so shall not invalidate the disciplinary action on him/her. The purpose of the appeal is opportunity to review or revoke order on him/her.

3.2. Disciplinary Measures or Actions In The Nigerian Civil Service

As early stated that disciplinary actions is not a gut reaction by the authority in the Nigerian Civil Service, as there are laid down rules and regulations governing them. Any disciplinary action against any officer is expected not to outweigh the offence committed, it should be commensurate to the offence in question. In the Nigeria's PSR (2008), there exists a wide range of disciplinary actions or punishments prescribed to fit offences committed by the Nigerian Civil Servants. The following are the disciplinary measures that may be taken in accordance with the guidelines in the Appendix V Part 15 of PSR (2008) but starting from the mildest to the most severe:

- Verbal or Oral warning
- Written warning
- Reprimand
- Surcharge
- Loss of pay or reduction in annual salary
- Withholding or deferment of increment
- Demotion or reduction in rank
- Termination, discharge from service or compulsory retirement
- Dismissal from service.

The disciplinary action highlighted above is to guide the authorities vested with disciplinary powers in the Nigerian Civil Service so that discipline is not seen or perceived as a gut reaction. Each of them is for application in the disciplinary procedure when it comes to determination of any disciplinary problem, type or nature earlier put in graphical form in in this paper, against any erring officer. It is noted that the disciplinary measures range from minor to major, that is, from the mildest to the most: Severe. In other words, the serious or major offences like corruption, sabotage, embezzlement, bribery, etc attract major or severe punishments such as discharge or lay-off, demotion or rank reduction, reduction in salary, while minor offences like insubordination, negligence, lateness, absence from duty, malingering etc attract minor punishments like oral or verbal warning, counseling, reprimand, surcharge, withholding or deferment of annual salary increment or loss of pay. According to Ritter (1974), major offences are infractions which substantially interfere with the orderly operations of an organization or threats to not only the organizational members but also especially to organizational goals and mandate. But minor offences are infractions which do little or no harm to the organization but which may become serious if they accumulate.

By definition, disciplinary measures refers to sanctions or punishments, which are taken to restore lost authority, the purpose of which is to re-establish authority and respect of both the established rules and regulations. They are not pleasant but painful to the recipient which is melted on a person as a consequence of a breach of rules on his part (Flippo, 1966).

4.0 Discussion of Findings

Civil Service the world-over is the administrative arm of government to implement its policies and programmes. It is the most potent instrument and institution in the development process of any country. Therefore, the effectiveness of government is to a large extent determined by the efficiency and competence of its Civil Service. Thus, it would be a disservice to the government or nation if she possesses a public work-force that exhibits negative work attitudes or work-defeating behaviours which are unwholesome to the nation's governance and development process. The institution can justify its existence in its environment only by the economic and social results it produces to improve the living standard of its people. This can only be possible to achieve by the Civil service which makes discipline the hallmark of operations. The truth is that, mark of greatness in any public institution shows in how policies, procedures, rules or organizational ethics are respected. Thus discipline is the axiom number one in the value scale of administration. In fact, the contemporary World History has shown that nations that have crossed the threshold of poverty and under-development attained their enviable greatness through discipline.

The irony in Nigeria is that, in spite of extant established rules and regulations in the Nigerian Civil Service, majority of our public officers still break the rules with impunity. And the most disturbing fact of this situation is that the top public officers are also involved in this moral degeneration. Documented discipline problems or cases that were extracted from the records of the Federal Civil Service Commission and reports of past administrative panels of inquiry showed cases ranging from minor to major acts of indiscipline perpetrated by civil servants of different cadres and categories. Examples are lateness, absenteeism, leaving office before closing time, insubordination, fighting on the job, inefficiency, negligence, forgery, false claims, falsification of records, incompetence, removal of public records, refusal to take lawful order, dishonesty, leaking official information, theft, corruption, fraud, moonlighting, suppression of records, hawking, embarking on authorized educational courses, withholding of records or files, truancy etc.

The records in the Commission and in some selected Ministries showed that concept of progressive discipline procedures are followed. However, the researcher was made to understand that there are exceptions to

the application of due process in some discipline cases against erring officers. For examples, serious offences such as assaulting a boss, drug abuse, fraud or corruption, theft and the like result in immediate dismissal at first attempt or instance. And there were some cases of re-occurrence by some officers that only attracted warnings or letter of advice.

The study also found that cases of absence without permission or reasonable excuse are common occurrences among the junior staff and found to be rare as officers climb up the ladder of seniority or as they assume greater responsibility. Ironically, the study found out that cases of lateness to work or office are common occurrences among majority of senior or management cadre which was with impunity. Since they are in position of authority, no authority to checkmate them however queries were handed to junior staff found guilty of the same offence. The junior and middle cadre interviewed, lamented that it has become a license in the Nigerian Civil Service to come late to office once you are a senior or management staff who have been exempted from signing Time and Movement Books.

In determining disciplinary cases, it was found that some performance data are easy to collect and rarely subject to misinterpretation, e.g. lateness and absenteeism. Other areas of behaviour performance are somewhat difficult to record and somewhat subjective e.g. insubordination, abusive language, sleeping on duty, sexual harassment, malingering or discourtesy. The question is what do they mean? How do we record or measure them? How do we justify them? This is because, they do not manifest physical proofs and they are also subjective. The similar case is the general inefficiency which by the PSR is ambiguous and subjective as it cannot be easily established by a single act of such indiscipline, because they look trivial and subjective.

The study found that there were some cases of indiscipline prevailing in the Nigerian Civil Service and which seems difficult to check in which an average Nigerian worker is guilty of. The examples of these work-defeating behaviours were the usual syndromes of “not on seat”, “is around”, “is coming”, “in a meeting” etc. The truth is that the officers concerned in majority of times have gone or close for the day. In some cases items like extra pair of eye glasses, caps, cup of water or soft drink, opened files with writing materials on the table, handbags behind chairs or tables, extra sandals or shoes under tables, etc are left behind to show the officer’s presence. These highlighted situations implied that the concerned officers have not closed for the day. In some cases where the doors to offices were opened there was usually someone to lock the doors at the closing time. The study found situations where some workers who were on moonlighting or have travelled would delegate another colleague to be signing Time Book for them. The highlights above are the sum up of the characteristics of an average Nigerian worker.

The researcher found that discretion played significant role in some disciplinary cases, which should have attracted severe penalties as spelt out in the PSR or the offenders of same offences to receive same penalties. In the light of this dilemma, the researcher had an interview with the authority of the Federal Civil Service Commission and Office of the Head of Service of the Federation. The researcher was told that discipline is complex because it involves human beings, and in such circumstances, it is impossible to absolutely rule out human factor on the disciplinary procedures as those vested with disciplinary powers are humans, while the erring officers are colleagues, friends, neighbours or kinsmen to those who are to apply the rules. The fact that discipline involves human beings is a reason why disciplinary procedures should be equal, fair, consistent and impartial. There are already laid down rules and regulations on disciplinary procedures and measures irrespective of the individuals involved. In short, for result and development oriented bureaucracy, rules are supposed to be respecter of no person and to be uncompromising.

The study revealed that the existence and application of the PSR in the Nigerian Civil Service have not absolutely eradicated discipline problems in the system as more of the cases keep recurring. The implication of this is that no social system can be completely free from one form of indiscipline or the other, but can only be reduced to the barest minimum. The irony in Nigeria is that instead of the cases of discipline to abate, they are increasing in different forms and dimension. The truth is that indiscipline in our bureaucracy has done uncalculated damage to the economy of this nation in one form or the other. The record of decline in the system is evidenced by the widespread poor performance of major public institutions in the country, occasioned by unimagined multi-dimensional work-defeating behaviours.

The high rate of indiscipline acts prevailing on the Nigerian Civil Service is as a result of management errors or shortcomings. The issue of these discipline problems is logical, simple and rational. It indicates the loss of authority of management on the system as well as lack of respect by the workers, to both the authority and operating rules guiding the operation of jobs and human interactions or relations in the institution. In other words, the moribund Nigerian Civil Service is a result and testimony of the very management leniency, mismanagement, incompetence, negligence, inadequacy, or wrong role models.

The contemporary Nigerian bureaucracy is what it is today to a large extent because of what they are. Sad enough, an average Nigerian Public Manager decays on the jobs with time instead of improving in excellence with time on the jobs. Thus, the management of indiscipline is only difficult if the authority concerned in the Nigerian Civil Service fails to apply the rules and regulations in accordance with the PSR on its

work force. The management of discipline is simple and logical, if rules and regulations established for the bureaucracy which is a rational model are applied, there would be sanity in the system. In other words, the real cause of prevalent indiscipline in the Nigerian Civil Service is just uncertainty of sanction against the violator. A worker who breaks the law, defaults in his work, a habitual late comer or inefficient, breaks the rules and regulations governing the system with impunity just because he has at least fifty-fifty chance of getting away with it unpunished.

The findings showed that the application of sanctions on the violators of the extant rules have not proved to be a deterrent to discipline problems in the system. Records and experiences have shown that many people punished for an offence repeated the offence. It was mentioned that inspite of many officers who were caught breaking bureaucratic rules, and punished, with severe sanctions such as summary dismissal without retirement benefits, many other officers are still committing the similar offences and being caught and punished almost every day. This revelation confirmed the position of Peter (1974) that effectiveness and potency of disciplinary actions in a social system cannot be absolutely justified. There is no doubt that if the Nigeria civil service is to be public-serving, and not self-serving, discipline as a matter of priority must become axiom that cannot be compromised.

There is the need for urgent review of the Nigerian PSR especially the Chapter Four that focuses on Discipline as some aspects have become obsolete or outdated with the enactment of the Freedom of Information Act 2011 (FOIA). This Act has empowered the general public to have direct access to public records and information while at the same time protects the public servants from administrative and legal indictment or sanction in situation where any classified information or document is disclosed to the media or public through any of the public servants. This in the past was a serious misconduct or crime with immediate dismissal. The aspects of the PSR (2008) of Section Four of Chapter Four Rule Number 030401 of letters (i) and (n) which are Unauthorized Disclosure of information and violation of Oath of Secrecy have automatically become obsolete as the Parliamentary Act supersedes any administrative rule and regulation. By the FOIA, that rules have become impotent and therefore can no longer bite its violator.

Other aspect of the PSR (2008) that needs to be expunged is the Rule Number 030401 of letter (h) which is on Serious Financial Embarrassment. This is a situation in which a public servant has debt or liabilities at any given time exceeding the sum of three times his/her monthly emoluments. The economic situation in Nigeria today is too harsh on an average Nigerian worker, which has forced him/her to survive on loans from the conventional banks or Cooperative Societies, to pay children school fees, utilities bills and rents that are on high side. All these loans are deducted from the salary source in each Accounts Department of the Ministry, which always leave the workers with only stipends or remnants at the end of each month. The implication of this is that an average Nigerian worker spends his/her salary even before it is earned.

This situation above is more than obvious to the authorities who gave out letters of guarantee to workers to facilitate the loans in their various banks while they are aware of the extant Rules and Regulations of the PSR on Serious Financial Embarrassment. The study found that no public servant has been found guilty up till the time of this research for violating that Rule Letter (h) of (030401) which the PSR classified as a serious indiscipline act. Is this a matter of incapacity, compromises, negligence, leniency, omission, commission, inadequacy, failure, incompetence or because they are co-victims on the part of the authorities or managers concerned. This situation implies the inclemency of the economy of the country and that the rule is obsolete in this present Nigeria.

The study further found that discretion played significant role in some discipline cases. For instance, Reports on disciplinary problems submitted by various Ministries to the Federal Civil Service Commission revealed that sanctions were not the same for same offences against erring officers. There were situations that offences such as fraud, theft, false claims etc that led to the outright dismissal of the offenders in the Ministry "A" only attracted termination or demotion in the Ministry "B". Tied up with this is that officers that committed same offence at different times in the same Ministry did not even receive same disciplinary measures.

There are some acts of indiscipline stated in the PSR that this study found to have been outdated, or could be difficult to prove or irrelevant. Examples are 030301 (a) scandalous conducts such as immoral or unruly behaviour, foul language, assault or battery (j) sleeping on duty, (L) hawking merchandise within office premises, (n) malingering, (o) insubordination, (p) discourteous behaviour, and 030402 (r) nepotism or any form of preferential treatment and (v) sexual harassment.

Looking critically at these offences above, the study observes that they may be difficult to prove beyond reasonable doubt or lack concrete proof to convince the alleged violators. The alleged violators may easily deny the offence in their replies to queries or before any panel of inquiry instituted against them except there is independent collaborator(s). The researcher was told of a subordinate who counter-accused her superior that it was because she did not give her body to her for a sex that informed her persecution. The study learnt some superiors have lost their jobs because of this irony of life. Also, it is an open thing that many workers are hawking merchandises within their office premises. Their superiors that supposed to check or issue them queries

were even patronizing them as well but at reduced cost for them to shut up their mouth.

Today in Nigeria, nepotism or preferential treatment is a common occurrence in the public sector. This is very pronounced in the Appointments, Promotions and Discipline (APD) matters. Since this offence is being committed by the authorities or superiors, the question is, which authority again that could check or issue query or discipline them. The truth is that many officers got their appointments or promotion today on who they know. And many officers escaped being disciplined by authorities of their Ministries because of whom they know. The researcher was told that though, some of the APD were on alleged preferential treatments, that the authorities still followed due process.

5.0 Conclusion and Recommendations

The poor socio-economic challenges Nigeria is experiencing over the years are occasioned by the poor performance of her public institutions, induced by prevailing multi-faceted and, multi-dimensional indiscipline. In spite of the various efforts of the successive governments to stem the rising wave of indiscipline in the country's bureaucracy through the mass purge of 1975 and 1984 respectively, institutionalized Public Service Rules (PSR) and the establishment of propaganda machineries such as Social Mobilization Directorate (MAMSER) and the National Orientation Agency (NOA) and Government programmes like the National Rebirth and War Against Indiscipline (WAI) campaigns etc, more of indiscipline cases in different forms and dimensions keep emerging and increasing.

Development history has shown that no nation, no matter its natural endowments could be expected to achieve the hallmark of enduring greatness and sustainable development within an indiscipline dispensation. This is a complex situation in that it is a futile exercise to expect the Nigeria's bureaucracy to breed disciplined officers in an indiscipline environment in which it operates, except the whole society passes through social transformation or value re-orientation. By this, not only that the nation's socio-economy would be turned-around, but the growth and development so attained would also be sustainable and thriving. National development that is not rooted in discipline stands on quick sand, and therefore cannot endure the storms of times. Thus, the key to true and enduring national development is in revitalizing and actualizing the cherished ethics, values and norms of public administration prevalent in the government institutions in the first decade of Nigeria's independence. What good or value does a society expect from an indiscipline Engineer, Doctor, Accountant, Academic, Manager, Public Officer etc.

Arising from the findings of this study, it becomes imperative to advance possible panacea to the discipline problems prevailing in the contemporary Nigerian Civil Service: The plausible best practices recommended for optimum performance of the contemporary Nigerian Civil Service are:

- i. **Concept of Due Process to apply.** If discipline is to be effective and to achieve its desired objectives, the authorities vested with disciplinary power should administer discipline equitably, fairly, impartially and consistently, which is the onus of discipline. The following criteria should be borne in mind when deciding or determining disciplinary measures against an erring officer:
 - ii. **Did the Officer indeed commit an act of indiscipline?** When a charge is framed and issued against him in writing. It contains details of the offence or allegation of misconduct, indicating the time limit within which to make his/her representation or submission to the charge to the authority, and state why he does not deserve punishment.
 - iii. **Should the Officer be punished?** If his alleged offence warrants sanction, he must be accorded fair hearing. The principle of natural justice should be upheld in the adjudicative process. That is, the innocence of the officer is presumed until he is proven to be guilty in accordance with the laid down disciplinary procedure.
 - iv. **Which punishment should be melted on the officer?** The sanction or penalty should be commensurate with the nature and gravity of the offence committed
 - v. **Was there an extant precedent of such offence in the system and which punishment decided?** The authority vested with discipline should peak into the past to ensure justice, fairness and equity to avoid bias or sentiment. That is, discipline is expected to be consistent and impartial as all same offenders should be treated alike irrespective of the position, rank, time or social connection – identical offences for identical sanctions.
- ii. **Management/Leadership Impressionism:** The public managers, executives or authorities to realize their leadership positions in influencing the characters or behaviours development of their subordinates. They must be seen obeying extant rules and regulations in their respective MDAs. Their actions and inactions must not be seen to be violating the standing orders, rules and procedure. They must set examples of high moral standards for their subordinates, colleagues and the entire public to copy or imitate. This is imperative as they are the immediate role models for their staff than the rules and regulations. This is because the Civil Service would be what they are. The position is in line with a Chinese 'Adage that "a good example is the best sermon", while the Latin proverb says "example is

- better than precept” (sermon)”. In other words, example remains the school of mankind, and they will learn at no other.
- iii. **Humanization of Conditions of Work and Service:** Motivating conditions of work and service give workers a sense of pride and job satisfaction. How the workers feel about their organization matters a lot and have a significant impact on employees’ behaviours. Government and authorities in the Nigerian Civil service should provide mechanisms for this humanization in forms of positive working environment, investment in the employees (just as they maintain organizational factors of productions) as relate to their career prospects, welfare services, promotion or hope of collecting their gratuities and pensions as at when due, job security etc. Most critical to their behaviours moulding is that government should fashion out a standardized salary system subject to review every three year as done in Singapore and Malaysia, for an example. This is imperative if the government wants to secure their work commitment, dedication, affirmation or conviction. The reason for this is that Nigerian workers are hedonistic creatures who are interested only in obtaining the greatest economic rewards from their jobs. They perceive their job as a means to an end” rather than an “end in itself”. They desire living wages as contemporary average Nigerian worker is an insolvent wage earner.
- iv. **Legal compliance:** The fact of the situation in the Nigeria Civil Service today is that workers break the established rules with impunity because they have at least fifty-fifty (50-50) chances of getting away with it unpunished. Thus, if we are to reduce the causes of prevalent indiscipline in the system to one phrase, one would say, it is because of UNCERTAINTY OF SANCTION. Therefore, one way of encouraging disciplined behaviour is to put every obstacle in the path between indiscipline behaviour and the attainment of organizational goals. In other words, it is to put every facility in the path between disciplined behaviour and the attainment of organizational goals. In essence, the legal compliance rests on punishment or threat of punishment in the event of failure to comply with rules. The violators of rules must be made to realize that they should be apprehended and punished accordingly in order to discourage others from emulating them. If indiscipline earns severe penalty, and the workers know that no one is allowed to enjoy the benefits of violation of rules, there will be no attraction to it. It is only when the onus of discipline is not followed in accordance with the due process that would make indiscipline acts to thriving in a social system, instead of abating.

In sum, there is a tendency for people to decry the pervasive indiscipline in the Nigerian Civil Service. However, the social maladies in the system are merely symptomatic of a more pervasive situation at the general societal level. It is impossible to separate the decay in the Nigerian bureaucracy from the social milieu as a whole. The causes of the inclement situation can be technically grouped into government or management errors, employees’ shortcomings and environmental social pollution. With this complex situation at hand, it would, therefore, be imperative to advocate a concerted and consistent deliberative national re-orientation or re-birth. Not one – off public campaign or enlightenment, but with special attention or focus on the Nigerian Civil Service, for true re-direction. It is then the institution can be able to meet the socio-economic needs of the present generation without compromising the ability of future generations to meet their own needs. It is a situation in which the Nigerian Civil Service justifies its existence in Nigeria by the Socio – economic results it produce to meet the complex needs of modern Nigeria. This is development that is people – nation – job oriented, serving public interest, and not self-serving entity. This is what is called sustainable Development (SD).

Reference:

- BBC English Dictionary, (1992), Harper Collins Publisher, London
- Branbelt, E.R. (1961), “Maintenance of Discipline”, in *Personnel, Quarterly*, vol. 1 No 1
- Collins, Walter, and Hermann, H. (1958), “Does the Penalty Match the Offence”, in *supervisory Management*, vol.3, No.3 No.9, September
- Covey, S. (2003), *The 7 Habits of Highly Effective People*, Free Press, New York
- Federal Republic of Nigeria (2008), *Public Service Rules*, Lagos: Federal Government Press
- Flippo, E.B; (1966), *Ethics and Education*, Britain: George Allon and Union Ltd
- Hassan, Fiel and English, R.A. (ed), *Human Service Organization*, Ann Arbor: University of Michigan Press
- Magginson, Leon C. (1977) *Personnel and Man Resources Administration*, Homewood: Richard D. Irwin,
- Ritter, Bess (1974), “What to Do About the Problem Workers”, *Supervision*, vol. 36. No.9 September.
- Rodney, W, (1972), *How Europe Underdeveloped Africa*, 30 gle-l Ouverture Publications, London:
- Seers, D. (1969), “The Meaning of Development”, in *International Development Review*, XI (4), December
- Tead, Ordway, (1988), “The New Discipline”, in *Human Nature and Management*, London: Newman N. Earns
- Todero, M.P. (1982), *Economics for Developing World*, London: Longman,.
- Webster’s Ninth New Collegiate Dictionary (1904)* USA: Merriam – Webster, Inc. Springfield,

The IISTE is a pioneer in the Open-Access hosting service and academic event management. The aim of the firm is Accelerating Global Knowledge Sharing.

More information about the firm can be found on the homepage:

<http://www.iiste.org>

CALL FOR JOURNAL PAPERS

There are more than 30 peer-reviewed academic journals hosted under the hosting platform.

Prospective authors of journals can find the submission instruction on the following page: <http://www.iiste.org/journals/> All the journals articles are available online to the readers all over the world without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. Paper version of the journals is also available upon request of readers and authors.

MORE RESOURCES

Book publication information: <http://www.iiste.org/book/>

Academic conference: <http://www.iiste.org/conference/upcoming-conferences-call-for-paper/>

IISTE Knowledge Sharing Partners

EBSCO, Index Copernicus, Ulrich's Periodicals Directory, JournalTOCS, PKP Open Archives Harvester, Bielefeld Academic Search Engine, Elektronische Zeitschriftenbibliothek EZB, Open J-Gate, OCLC WorldCat, Universe Digital Library, NewJour, Google Scholar

