

The Civil Service as an Engine of Good Governance in Nigeria

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Abstract

It is no gain saying that civil service is central and inevitable to any government and good governance especially. The civil service is important both in policy formulation and implementation, it also gives technical and professional advice to successive government so as to guide the political office holders whose offices are transient in nature while that of the civil servants have some measure of permanence. It is in the light of the above that this paper looks at the civil service in Nigeria as an engine room of good governance. The paper traced the history of Nigeria civil service, the role of civil service in service delivery, the successes, and failure of civil service and most importantly the corruption in the civil service today. The paper is concluding by recommending reorientation of the civil servants, training, and retraining and provision of modern equipment for effective service delivery.

Keywords: civil service, governance, policy, government

1. Introduction

The Constitution of the Federal Republic of Nigeria which came into force on October 1, 1999 established a Presidential System of Government which consists of three arms, viz: the Executive ^(Constitutional 1999), the Legislature and the Judiciary ^(Constitutional 1999)

The Executive consists of the President, the Vice President and the Ministers at the Federal level ^(Constitutional 1999) and the Governor, the Deputy Governor and the Commissioners at the State level ^(Constitutional 1999).

The President is the Head of State and the Commander-in-Chief of the Armed Forces of the Federation ^(Constitutional 1999). Subject to the provisions of the Constitution, the Executive powers of the Federation and those of the States are vested in the President ^(Constitutional 1999) and the Governors ^(Constitutional 1999) respectively.

The President ^{Constitutional 1999} and the Governor ^(Constitutional 1999) may exercise these powers either directly or through the Vice President/Deputy Governor and the Ministers/Commissioners or officers in the Public Service. The Executive executes all laws made by the Legislature. The Civil Service is a significant part of the Executive and functions as the main medium through which government policies are either implemented or supplied with the essential data for their formulation. ^(Constitutional 1999)

The Legislature consists of a bi-cameral National Assembly at the Federal level ^(Constitutional 1999) and a uni-cameral House in the States ^(Constitutional 1999). The Senate and the House of Representatives constitute the National Assembly and are made up of 109 and 360 members respectively. ^(Constitutional 1999) The National Assembly is vested with the power to make laws for the country ^{Constitutional 1999}. The appointment of Ministers and some public officers is subject to ratification by the Senate, ^(Constitutional 1999) while bills passed by the National Assembly receive Presidential assent before they become law. ^(Constitutional 1999) The membership of a State Legislature is three times the total number of seats the State has in the House of Representatives, ^(Constitutional 1999) subject to the provision of the Constitution. The State Legislature is vested with the power to make laws for the state. The appointment of Commissioners and some public officers is subject to ratification by the State Legislature, ^(Constitutional 1999) while bills passed by it receive the Governor's assent before they become law. ^(Constitutional 1999) The Senate is presided over by a President while the House of Representatives and the State Legislature are each presided over by a Speaker. ^(Constitutional 1999)

The Judiciary has power to review the acts of the legislature and the executive as well as interpret the laws of the land. ^(Constitutional 1999) The state High Courts and Federal High Courts have exclusive original jurisdiction over fundamental rights of the individual enshrined in the Constitution.

2. What is the Civil Service?

The Civil Service is a body of men and women employed to ensure that policies and programmes of any government at any particular time are carried out. ^(Constitutional 1999) The Civil Service as part of Government never dies. Because of its perpetual nature and the changing nature of constitutionally elected governments, it has to be endowed with specific peculiarities to enable it serve any government no matter the political leaning of that government. These peculiarities are:

- a) It has to be non-partisan and inviolate to enable it serve any Government of the day.
- b) It has to be made up of experience men and women with the technical and professional know-how to enable it implement government policies.
- c) It has to be orderly and also ensure that orderly administration of the country is continuous.

- d) The Civil Service is indispensable since it continues the traditional role of keeping the functions of government running no matter what changes occurs in the administration of the country.
- e) It operates under rules which guide its conduct
- f) The Civil Service is an entity but operates beehives of activities, divided between Ministries and Departments. Each ministry or Department has its set functions and goals. ^(Constitutional 1999)

2.1 Who is a Civil Servant?

The Royal Commission on the Civil Service (1953 – 55) has described civil servants as “Servants of the Crown, other than holders of political or judicial offices, who are employed in a civil capacity and whose remuneration is paid wholly or directly out of moneys voted by parliament” in the Nigeria context, a Civil Servant is simply someone, employed by the Civil Service Commission and paid by the Government out of moneys voted for that purpose by the National Assembly or State House of Assembly. ^(Constitutional 1999)

What does a Civil Servant do?

In the Civil Service, there are a great variety of jobs including most of what one might generally call paper work. Fundamentally, Civil Servants in Ministries work for the Government under the directives of Ministers or Commissioners. Apart from providing all the information needed for the administration of Government, they also help to formulate and execute Government policies. The job of a Civil Servant is a mixed grill, sometimes exciting, at other times routines, but always challenging. The Civil Service is a dynamic organization which is constantly evolving new techniques to improve upon its past as well as to meet fresh challenges. A Civil Servant is expected to use his initiative and judgment wisely in deciding issues since these decisions generally affect the lives of the citizens. Civil Servants are experts in their own right and are called technocrats who advise and guide government in taking right decisions. ^(Constitutional 1999)

3. Career Service

The principle and goals guiding the civil service can be summarized in the worlds of the International Labour Organization (I.L.O). Joint Report on career problems as follows: ^(Constitutional 1999)

- a) “Independent non-political control of recruitment and conditions of employment;
- b) Recruitment by merit;
- c) A system of appeals designed to preserve justice in promotions, dismissal and punishment;
- d) Advancement on grounds of efficiency;
- e) A regular system of classification of position with incremental advance;
- f) A permanent organizational structure beyond which the fluctuating margin of work is met with temporary employment
- g) Protection against arbitrary and indiscriminate dismissal;
- h) A distinctive retirement and pensions system;
- i) Opportunity for employment within and between departments”.

3.1 Recruitment into the Civil Service

The Constitution of the Federal Republic of Nigeria vests in the Federal Civil Service Commission^(Constitutional 1999) and the State Civil Service Commission^(Constitutional 1999) the function of recruitment into the Civil Service. There are, however certain posts in the Civil Service the appointment to which is within the prerogative of the President^(Constitutional 1999) or a State Governor, ^(Constitutional 1999) in the case of a State Civil Service. Such appointment includes those of permanent Secretaries and Career Diplomats.

The Civil Service Commission is a department of the Civil Service not under Ministerial control. The Chairman and the Commissioners are appointed by the President in the case of the Federal Service and by the Governors in the case of State Civil Service. This is to ensure that matters affecting the Civil Service do not come under political influence. The Civil Service Commission (Federal or State) are also further charged with the following functions in addition to appointments:

- i. Promotions
- ii. Inter-Cadre Transfers and Secondments
- iii. Discipline – including dismissals and terminations.
- iv. Reviewing of appeals from disciplinary cases^(Hand book 2000)

The Civil Service Commission conducts direct appointments for officers on Grade Levels 07 to 16, but in many cases posts from Grade Levels 09 – 16 in the service are filled by promotion process. As the limit of the normal career expectation of all Civil Servants is at present Grade Level 16 (Federal) and Grade Level 15 (States), appointments to Grade Level 16 and above including Personal Merit Awards are done by the Governor on the advice of the Head of Service. ^(Constitutional 1999)

The Civil Service Commission (Federal or State) is empowered to delegate some of its functions to Heads of Ministries and Departments. In order to ensure that the powers delegated are not abused, there are

established in Ministries and Departments such boards as Departmental Selection Board and Department Appointment Board in which the Civil Service Commission is represented. In this State at present, posts on Grade Levels 06 and below are delegated to the Heads of Ministries/Departments so that appointments, promotions, transfers, secondments and disciplinary action concerning these grades of staff within the State, are handled by Ministries/Departments. ((Hand book 2000))

3.2 Personnel Administration and Management

The government, like other organizations, must have workers of different categories in order to realize its objectives and discharge its responsibilities. The staff complement should neither be too large nor too small. If it is too large, some staff may not have enough work to do. The salaries and wages of such people will be over-worked. Some limitations must be imposed on the grading of staff for purposes of salaries and wages. This is the function of the Establishment Division of the Office of the Head of Services, which reviews establishments in Ministries and Departments periodically in the interest of economy, efficiency, effectiveness and stability. ((Hand book 2000))

This has necessitated various reforms and reorganization ((Hand book 2000)). It is significant to mention that the Management Development Division of the Office of the Head of Service is essentially concerned with determining staff numbers, organization and general management. The classification and grading of posts for purposes of salaries and other entitlements, including office accommodation, conditions of service, superannuation, and the maintenance of accurate staff records are handled by the Establishment Division. ((Hand book 2000))

3.3 Categories of Staff in the State Civil Service

The State Civil Service is made up of the following:

- i. Administrative, Professional and Scientific/Research Officers
- ii. Executive and Technical Class Officers
- iii. Secretarial Class Officers
- iv. Clerical/Junior Technical and Sub-Clerical/Sub-technical Class Officers
- v. Miscellaneous Class e.g. Telephone Operators, Messengers, Security Guards, Gardeners, etc. ((Hand book 2000))

3.3.1 Administrative Class

One of the most important groups of the Civil Service is the Administrative class whose *raison detre* and functions are derived from the ministerial and Parliamentary system of Government. Even during this era of the Presidential system, in order to make it possible for Ministers/Commissioners to carry out their functions efficiently and effectively they are supported by a body of staff under the leadership of Permanent Secretaries, who should bring to bear on the work of the Ministries / Departments the objectives of the Ministries / Departments. It is for this group to bring together the many and diverse views involved in matters requiring policy decisions and to advise on the appropriate decision and put them into effect. For example, the Permanent Secretary in the Ministry of Health cannot deal with every aspect of the problem sin his own Ministry without the support and co-operation of other Ministries and Departments. The following actions may be necessary: -

- a) A memorandum to the Council of Ministers/Commissioners (Executive Council) stating the case for necessary funds has to be cleared first with the Permanent Secretary to the Ministry of Finance and other Executive Ministries;
- b) A new post which may be created will be referred for approval to the Head of Service
- c) A capital development project has to be vested by the Ministry of Economic Development and Planning;
- d) When the project is finally approved by Government, the Civil Service Commission will appoint qualified officers for the new posts.

The above clearly shows the unity of purpose existing in the Civil Service.

3.3.2 Administrative Class Posts

The usual posts in the Administrative Class are as follows:

Functional Title	Designation
1. Assistant Secretaries, Grade II	Administrative Officer, Grade VII
2. Assistant Secretaries, Grade I	Administrative Officer, Grade VI
3. Senior Assistant Secretaries	Administrative Officer, Grade V
4. Principal Assistant Secretaries	Administrative Officer,
5. Under Secretaries	Administrative Officer, Grade III
6. Principal Secretaries	Administrative Officer, Grade II
7. Secretaries for Administration	Administrative Officer, Grade I ^(Hand book 2000)

Potential Administrative Officers are usually University graduates. Some are transferred or promoted to posts within the class from other classes in the service or public bodies. Appointments to post other than the initial grade may be direct by the Civil Service Commission from candidates considered suitably qualified. The new Scheme of Service for Administrative Officer Cadre spell out Posts and Salaries, Duties and methods of Entering into the cadre.

Most administrative posts, like other posts, in the service are graded to discharge specific functions called schedule of duties Administrative Officers are liable to posting from Ministry to Ministry. ^(Hand book 2000)

3.3.3 The Professional and Scientific/Research Officers

The qualifications of the members of this class are University degrees or professional institutions. Most professional officers in the service are in the specialist Ministries and Non-Ministerial Departments, such as Agriculture and Natural Resources, Audit, Education, Finance and Treasury, Industries, Justice, Health, Works and Housing etc. the new Schemes of Service spell out Posts and Salaries, Duties and Methods of Entering into the various cadres.

Scientific and Research Officers are mainly in the Ministries of Agriculture and natural resources, Industries and Health. Scientific and research Officers nomenclature used here are generic terms. Those class of officers assume their appropriate designation in their respective Ministries/Departments. In the Ministry of Agricultural Engineers etc. in the Ministry of Works we have Executive Engineers, Civil Mechanical or Electrical, Quantity Surveyors and Architects and Doctors in Health.

Professional Scientific and Research Officers in their respective Ministries and Departments are responsible for planning organizing and controlling the professional scientific and other specialized programmers of the Government. They advise the Government on specialized matters as and when the need arises. They also participate actively in the formulation and implementation of Government Policies. ^(Constitutional 1999)

3.3.4 The Executive Class and Technical Class

The duties of this class of officers are of a general nature including routine accounting and sub-professional work. Executive Class Officers who perform non-technical duties discharge considerably supervisory work as well as take charge of specific assignment within a Unit in the Ministry/Department.

This non-technical class falls into the two groups below: ^(Hand book 2000)

- i. Executive Officers (General Duties)
- ii. Executive Officers (Accounts)

The grading of their posts are as follows:

Executive Officers (General Duties)	Executive Officer (Accounts)
Assistant Executive Officer	Assistant Executive Officer
Executive Officer	Executive Officer
High Executive Officer	High Executive Officer
Senior Executive Officer	Senior Executive Officer
Principal Executive Officer II	Principal Executive Officer II
Principal Executive Officer I	Principal Executive Officer I
Asst. Chief Executive Officer	Asst. Chief Executive Officer
Chief Executive Officer	Chief Executive Officer.

Deserving members of the Executive Class may be promoted to the Administrative Class or, if they are engaged in accounting work, to the cadre of Accountant. Some of these officers who have undergone specialized training course are deployed in specialized duties. ^(Hand book 2000)

Some officers perform technical duties for which technical or technological, rather than professional qualifications are necessary. The following grades apply to them: ^{-(Hand book 2000)}

- i. Assistant Technical Officer
- ii. Technical Officer
- iii. Higher Technical Officer
- iv. Senior Technical Officer
- v. Principal Technical Officer I
- vi. Principal Technical Officer II
- vii. Assistant Chief Technical Officer
- viii. Chief Technical Officer.

3.3.5 Secretarial Staff

The grading of Secretarial Staff are as follows: ^(Hand book 2000)

Confidential Secretary, Grade IV

Confidential Secretary, Grade III

Confidential Secretary, Grade II

Confidential Secretary, Grade I

Personal Secretary, Grade II

Senior Personal Secretary

For Official Reporter Grades, the grading are as follows: ^(Hand book 2000)

Official Reporters, Grade II

Official Reporter, Grade I

Senior Official Reporter

Deputy Hansard Editor

Hansard Editor.

The new Schemes of Services spell out Posts and Salaries, Duties and methods of Entering into the various cadres.

3.3.6 Clerical and Sub-Clerical Classes

The following posts exist in both the Federal and State Civil Services. ^(Hand book 2000)

- a) Clerical Assistant
- b) Clerical Officer
- c) Senior Clerical Officer
- d) Chief Clerical Officer.

The minimum educational qualification of direct entrants to the Clerical grade is the West African School Certificate (with a pass in English) or the General Certificate of Education (Ordinary Level) with passes in at least four subjects including English or in five subjects at two sitting including English. Promising members of the Clerical Class may be promoted to the Executive Class from the grade of Senior Clerical Officer and above.

The minimum educational qualification for a Clerical Assistant is Certificate 9.75 or Secondary II or IV. Clerical Assistants may be promoted to the Standard Clerical grade II they pass the combined Confirmation/Promotion Test at promotion level.

3.3.7 The Junior Technical and Sub-Technical Classes

The qualifications of the employees in this grade are the same as those for Clerical and Sub-Clerical Grades, although a pass in the necessary scientific subjects such as Physics, Chemistry, Mathematics and Biology is essential for appointment. The members of this class are usually found in the professional Ministries and Departments. ^(Hand book 2000)

All classes of staff in the service work together in harmony in order to sustain the service.

3.4 Historical Development of Nigeria Civil Service

A civil servant works under the direction and authority of the minister/commissioner of the department to which he is appointed, but legally he is a servant of the government. He may work in any of almost a thousand and one public bodies, which range in size from the ministry of defence, labour, commerce to commissions, public corporations and parastatals, departments and agencies.

The foundation of the modern civil service in Nigeria was laid by our colonial master, Britain. Thus the civil service in Nigeria is modeled on the British civil service which was itself laid in 1854, through the North cote – Trevelyan Report. This report condemned the system whereby recruitment to the service was largely by patronage, nepotism and the purchase of sinecure posts. The report was similar to the Pendleton Report of 1883 in U.S.A., which condemned the spoils of office. The reports laid down four major principle to ensure an adequate supply of appropriate qualified recruits: -

- (1) Recruitment should be by competitive examination
- (2) There should be a clear distinction between intellectual work which would be carried out by the more able civil servants and routine mechanical work, suitable for those of lower educational attainments.

- (3) Promotion should be based on merit rather than seniority
- (4) There should be a single integrated service, in which civil servant could be transferred freely from one department to another.

As a result of this report the civil service commission was set up in 1895 in England as an independent body to control recruitment by organizing the recommended examinations, this competitive examinations became the normal method of entry into civil service and all departments were integrated into one civil service. This system was brought into Nigeria during the colonial era. After independence, the system continued but had undergone series of reforms at various times. ^(Hand book 2000)

The civil service in Nigeria has metamorphosed into a constitutional institution since 1979. Section 140 provides for the establishment of Federal civil service commission while Section 178 provides for establishment of state civil service commission Section 145 provides for the independence and authority of the commission to direct its affairs. The third schedule part 1 B spelt out the composition of the federal civil service commission and it functions as follow: -

- a) Appoint persons to the offices of the Federal civil service
- b) And dismiss and exercise disciplinary control over such persons holding such offices.

The body is to be composed of nine members of proven and unquestionable integrity. Part 11 A of the 3rd schedule repeated the same functions for the state civil service commission. There are other government Agencies operating the civil service scheme like National Population Commission, National Electoral Commission. The judiciary has separate service although their operation is similar to that of the civil service commission. But over the years there has been call for independence of the judiciary and that the judiciary should be made to be self accounting. Although we now have both Federal and State judiciary service committee but it is still far from what is expected of the judiciary. The 1999 constitution in Section 81 now created a new National Judiciary Council which is self accounting but the stretching of the power of that council to judicial appointment at state level tended to turn Nigeria into a unitary state rather than a federal state as proclaimed by the constitution itself.

3.5 Civil Service and Political Power

A civil servant must be politically neutral in carrying out his duties and must serve government of different political parties impartially and loyally. While governments come and go, the civil service is permanent even under the military and in fact the only civil institution normally preserved is the civil service. Though the Ministers, Commissioners, Presidents and Governors are the policy makers which are to be implemented by the civil servants, civil servants also do participate in decision and policy making by way of giving professional advice. The civil servants accumulate considerable experience and expertise because of their long stay in service including in service training scheme and this makes them to be in position to guide and advice ministers who are never permanent in a ministry. A permanent secretary may serve 5 to 6 ministers within a space of 10 years. Permanent secretary/Director General makes decision which may bind the government but this does not mean that the permanent secretary will arrogate power to himself but that decision may represent the decision of government. Civil servants greatly influence government policies through their advice, memoranda and manipulations through trade unionism but the principles of anonymity prevents them from being seen or claiming responsibility for any policy. ^(Hand book 2000)

The civil service system guarantees the tenure of the civil servants through the civil service rules and General Order made pursuant to Section 147 of the constitution. Appropriate machinery and procedure are under these rules a laid down for recruitment, promotion and discipline. ^(Hand book 2000) The civil service commission must follow these rules while failure to follow them had exposed the civil service commission to embarrassing litigations. The civil service in Nigeria today is tripartite since we have 3 tiers of government. Each of the tiers of government has its own civil service commission, i.e federal civil service commissions, state civil service commission and local government service commission by virtue of Decree Nol. 7 of 1997 which adumbrated the provision of Section 308 – 310 and 3rd schedule part II paragraph D articles 8 & 9 of the never enacted 1989 constitution. Before now the salary structure in the three service system is the same but recently Federal Government policy had deregulated the salary structure. Though in contravention Section 17 (3) (e) of 1979 & 1999 which guarantees equal pay for equal work. But the question may be asked what constitute equal work? Does service in local, state and federal constitute equal service thereby requiring equal pay?

However, it must be mentioned that military rule in Nigeria had negatively affected the civil service in the last three decades. Security of service had been eroded with the frequent civil service purge or re-organization. Young energetic and intelligent brains had been lost as a result of these exercises. Whereas the terminal age in service is constitutionally fixed at 60 years of age or 35 years of service whichever is earlier. This has also encouraged falsification of age by civil servants. Recently in Ondo and Edo states over 2000 worker

were caught in this fraud.⁶Civil servants who are willing and able to serve the nation for this long have often been undercut by the so-called civil service re-organization, to the extent that the service was no longer interesting and its pay was out of tune with economic realities of the nation, fringe benefits like housing loan, car loan, training allowance are either lacking or unrealistic. The private sector now attracts the labour force in Nigeria. The civil service is the last option of any young graduate today. Between 1995 April and 1996 August Kwara State Government alone retrenched 8,500 workers of various cadres. This is not peculiar to Kwara but common to other states of the federation. This is partly accounting for high rate of crime and violence in Nigeria today. There are too many young and idle hands who now join armed robbery, secret cults and drug addicts and barons. “419” or advance fee fraud is also on the increase too.

Therefore the government should stop the present witch hunting, tribalism, nepotism tagged reorganization of service in order not to destroy the polity completely by these inevitable consequences of mass retrenchment. Because no Tribunal or Agency; like NDLEA can eradicate the problem of drug abuse, cultism, violence and armed robbery except good government by exemplary leadership and stable political culture, federal character and quota system should be jettisoned because of its negative tendencies and its lopsidedness and if it is to be allowed at all, the principle of strict compliance should be ensured. We shall also lend our support to the call by Alhaja Lateefat Okunnu former Deputy Governor of Lagos State for reparation for victims of various civil service purge since 1975. ^(Abifarin 2000)

4. THE CIVIL SERVICE AND SECURITY OF SERVICE

4.1 Entrance into the Service

Almost all vacancies in the classified civil service are filled by means of competitive examination or interviews, especially for the senior civil servants who are officer above grade level 07. While officers of Grade level 6 and below can be appointed by his department after passing the qualifying examination, the senior civil servant can only be validly appointed by the civil service commission. This also holds for the local government service in case of senior staff of local governments. ^(Abifarin 2000)

Each department rates the efficiency of its staff periodically. The personal rating may be used for recognizing outstanding performance, for pay increase or even for pay reductions or dismissals in specific cases of highly unsatisfactory performance. A low rating may be appealed against to the Commission for review. There can be inter or intra departmental or Inter-ministerial transfer. There are other bodies which form part of the unified civil service system such as National Primary Education Commission, State Primary Education Board, and Local Government Education Authority etc. ^(Abifarin 2000)

4.2 Exit from Service (Dismissal)

Unsatisfactory efficiency ratings are causes for dismissals. An officer can also be dismissed for fraudulent conduct such as embezzlement; misappropriation of fund, gross undisciplined and misconduct, truancy, lateness to work, engaging in other business in conflict with his official duty. But before an employee or civil servant can be dismissed for any of the above state offenses he must be informed in writing of the nature of the charges against him, he must be allowed a reasonable time to file a written answer. The civil service commission must satisfy the civil service rules and Section 33 of the 1979 constitution (now 36 of 1999) which makes elaborate provisions on fair hearing and the rule of law. ^(Abifarin 2000) Many cases of wrongful dismissal have been successfully challenged in the courts.

4.3 Retirement System

Virtually all classes of the employees of the federal, state and local government whether in the classified system under this system certain percentage of each employee's pay withheld for this purpose in pension account. He takes both gratuity and pension subject to Section 14 of pensions Act 1974 while Sections 190 of the 1979 constitution provides that pension of a retired officer shall not be withheld for no just cause. ^(constitution 1999)

Upon attaining age 60 in service an employee can retire with full benefit if he has put in 15 years in service are retired compulsorily or if he continues in service his retirement benefit will diminish according to how many extra years he used in service. A person may retire voluntarily after spending 10 years in service. There can also be transfer of service from one government department to another or from federal department to state department or local government service or vice versa, the service of such an officer is said to have continued uninterrupted and will be taken into consideration while computing his service. S. 190 of the 1979 constitution and the pension Act 1974 guarantees the right of every public servant to his pension which cannot be withheld unlawfully from him. An officer who serves for only 5 years is entitled to gratuity only. The 1999 constitution provides that pension will now be reviewed upward in every five years in accordance with salary

⁶ Records Falsification Mimiko Pardoned 2,200 Civil Servants Nigerian Tribune 23 December 2013 – But those of Edo state are not that Lucky – they were all sacked by the Governor.

increase. However, the new Pension Reform Act 2004, now introduced contributory pension scheme. The Federal Civil Service and all federal establishments have implanted the new pension Reform Act but states have not except the Western states of Ondo, Oyo, Ogun, Osun, Ekiti and Lagos states. This is detrimentally to the interest of the civil servants in the non implementing states.

4.4 Resignation

Some employees of the government resign for better jobs in the private sector or for private business. Many female workers may resign on the ground of marriage so that they can join husbands. While many others may resign on health ground or for politics. An officer is said to have resigned when he is not yet qualified to retire or he has not spent the required minimum years that can qualify him for retirement benefit. He will give notice of resignation to his employer who will acknowledge and release him. ^(Daily Sun 2013)

4.5 Termination of Appointment

The appointment of an officer may be terminated in accordance with the terms of his employment. He must be given the statutory notice or salary in lieu of notice. If it is officer that gives notice of termination of appointment, the notice given must also conform with the term and conditions in his letter of appointment and where he refused to give the required length of notice, he must also pay the employer in lieu of notice. There can also be termination on ground of redundancy or expiration of contract of employment especially where an officer is employed on contract basis after he had retired from service. ^(Okoro 2013) Many cases of wrongful termination have been successfully challenged in court. ^(Abifarin 2000)

4.6 Trade Unionism in Service

In exercise of their rights under the constitution the civil servants organize itself into unions for purposes of collective bargaining, consultation and negotiation of conditions of services or review of conditions of service. They also organize to protect the individual and corporate interest of civil servants. This they do by organizing themselves into various unions such as National Union of Local Government Employees, State Civil Service Union and Federal Civil Service Union, National Union of Teachers etc. All these unions are affiliated to the Nigeria Labour Congress. Both the Trade Disputes Act 1976, the labour Act 1974 and Section 37 of the 1979 (now 40 of the 1999) constitution provides the modus operandi of the unions within the service, their right interse and their relationship with the government are also regulated by statutes. ^(Abifarin 2000)

The various unions under the umbrella of the Nigeria Labour Congress Played very important role in the political crises brought about by annulment of June 12 election in 1993. This they did by embarking on effective strike actions throughout the federation which have been criticized by the government as an act of sabotage and that Labour Unions have no business in politics and Government, but this assertion in our view cannot be correct because Labour Unions should have their impact on Government on issues that would affect their career and prospects in service by consultations, dialogue and negotiation but when government failed to create an enabling atmosphere for such, strike action becomes inevitable. ^(Abifarin 2000)

4.7 Civil Service and Corruption in Nigeria

Just as the civil service is the engine room of government and it has played this noble role well with some outstanding civil servants who had distinguished themselves in service had been given national honours and awards but a few bad eggs are still found within the service. A typical example is the recent pension fund theft in the office of the Head of Service of the federation where billions of naira were embezzled, ^(the Punch 2013) ditto for the former head of service of Oyo state who also stole billions of naira from Oyo state pension fund. The police pension fund was also stolen by pension managers from within the service. All the culprits are currently facing trial in the Federal High Court and some of their ill-gotten property have been confiscated by the government. ^(Vanguard 2013)

The new pension reform introduced by the Pension Reform Act 2004 which introduced contributory pension scheme may be able to curb this trend as the new pension fund Administrators and pension fund custodians from the private sector will not allow stealing of pension fund. While some outstanding civil servants have been appointed ministers, commissioners, governors and deputy governors after retirement, some have found themselves in prisons and their ill-gotten property confiscated by government through EFCC some were also dismissed from service prematurely. However, it is disheartening that state governments have not embraced the new contributory pension scheme. This may be detrimental to the interests of their civil servants. ^(Daily Sun 2013)

Another problem of the civil service is the over blotting of the service by ghost workers. The minister of finance announced recently that the result of screening exercise conducted revealed 45,000 ghost workers costing the nation about ₦500 billion naira annually. ^(Fayemi 2014)

There are other problems like splitting of contracts, over inflation of contract price, improper supervision of contracts leading to poor construction and award of contracts based on nepotism and sectional

interest. The government enacted the Public Procurement Act 2007 to check this. The government went further to create the office of due process.^(Shehu 2010) The monetization policy was also introduced to check wastes and fraud in the service.^(Fasuka 2015)

The privatization and commercialization of public enterprises by the government is also to check fraud, corruption and embezzlement that crippled these enterprises. These enterprises when they became private enterprises become more resourceful and profitable. They no longer receive subvention from government but they make profit, pay taxes and royalties to government and they became self sustaining.^(Akanbi 2010)

In order to further check corruption in the service, the Code of Conduct Bureau and Tribunal are put in place to check the excesses of public officers by constant declaration of assets and trial of defaulters. Although the Code of Conduct Bureau and Tribunal have not done much to check these civil servants. They have concentrated more on the political office holders.^(Ogunyemi 2014) The EFCC and ICPC were also setup by the government to check corruption in the service and in the polity in general. Even though the EFCC has been doing well in this battle against corruption, the ICPC has not done much. EFCC have investigated and brought to book civil servants with 30 houses in Abuja and other parts of Nigeria.^(Okoro 2010) The organization should brace up and rid the service of bad eggs. Other corrupt tendencies in the service is land scam in Abuja by the staff of FCDA, NSCDC etc^(Okoro 2010) and employment scam where civil servants collect money from applicants for jobs in customs, police, NSCDC, Army, federal civil service etc. The EFCC has been prosecuting some of these fraudsters but at a slow pace and seemingly selectively.

4.8 Re-invigorating the civil service: Lesson from African Union

We have the advantage of knowing that our continental community, the African union has articulated a charter by which its member countries may guide the performance of their public services. What can we learn from the AU in this matter?

4.9 The African Charter on Values and Principles of Public Service and administration provides many guidelines that our own country could use as we seek to devise methods and means of achieving sustainable stability. Four of the main objectives of the charter are of special interest for the purpose of our discussion. Among other things, the charter seeks:^(African Chapter 2013)

- To ensure quality and innovative service delivery that meets the requirements of all users (we would call them ‘stakeholders’);
- To encourage citizens and users of public services to actively and effectively participate in public administration processes;
- To promote the moral values inherent in the activities of public service agents with a view to ensuring transparent service delivery;
- To improve the working conditions of public service agents and ensure the protection of their rights.

Please note the direct reference to ‘moral values’, as well as the prominence given to the idea that service delivery should be transparent, and should meet the requirements of all stakeholders. To emphasize this further, the charter requires member countries to “organize public service and administration to ensure and facilitate easy access to adequate services.” Art 5.3 follows this by pointing to the need to deliver service as close to users as possible.^(African Chapter 2013) And it advocates a public service and administration that is “participatory in order to ensure the effective involvement of all stakeholders including civil society in the planning and delivery of services.”^(African Chapter 2013)

The Charter also dwells on the issues of **professionalism and ethical behavior**, two areas where capacity transformation is desperately needed. It provides that^(African Chapter 2013)

1. Public service agents shall demonstrate professionalism, transparency and impartiality in the performance of their duties.
2. Public service agents shall demonstrate excellence and innovation in their performance of duties.
3. Public service agents shall be required to perform their professional duties and show courtesy, integrity and neutrality in dealing with users.
4. Public service agents shall act responsibly and in accordance with the national laws and regulations and that
 1. Public service agents shall demonstrate integrity and respect all rules, values and established codes of conduct in the performance of their duties.
 2. Public service agents shall not solicit, accept, or receive directly or indirectly any payment, gift, donation, or reward in cash, for services rendered.
 3. Public service agents shall on no account use their positions for political or personal gains. In all circumstances they shall act with impartiality and loyalty.^(African Chapter 2013)

One undeniable advantage of the African charter is that it articulates the real values as standards that we need to adopt if we wish to be successful in our national development endeavour. The charter is an African

initiative, designed for implementation by Africans – people whose indigenous values and standards have always been the highest; grassroots communities that have always given pride of place to the best ethical and moral behaviour.

In today's world, the reality of globalization creates the inescapable need for a harmonization, across many countries, of practices in business and governance, as these help all nations to work together for global peace, progress and stability.

5. Conclusion

The civil service is an inevitable and universal institution but it can be made to be dynamic, result oriented and beneficial to the people. The civil service has been begged down with bureaucracy which makes its impact on the people to be a mirage. The corruption syndrome is more visible in the civil service in Nigeria which we have shown in the paper. The various civil service reforms have not changed the situation but have rather worsen it because most of these reforms recommended civil service purge or reorganization, downsizing or right sizing and wage increase which did not reduce corruption. ^(Kingsley 2013)

To make the civil service more result oriented, the National Orientation Agency should be funded to reengineer the civil service by teaching civil servants the national ethics, national interest and patriotism that will relegate nepotism, and sectional interest. Getting rid of corruption in the civil service is a task that must be done by all and sundry. The civil service should also be reinvigorated by training and retraining of civil servants.

The public buildings used as offices for civil servants should be maintained, furnished and well equipped with modern information and communication technology. The government should give car, housing loans and other welfare packages for civil servants so as to enhance their performance. Pension scandals within the service should be eradicated by ensuring that the pension fund administrators and pension and custodial are transparent and effective.

The Charter of African Union on Values and Principle of Public Service and Administration will complement the civil service rules, code of conduct and other rules of service to purge the service of undesirable elements and strengthen the integrity of the remnants of the service for any meaningful development to be recorded in Nigeria and other African states.

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Section 4

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