POS 334
Public Administration in Nigeria
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Vice-Chancellor’s Message

I congratulate you on being part of the historic evolution of our Centre for External Studies into a Distance Learning Centre. The reinvigorated Centre, is building on a solid tradition of nearly twenty years of service to the Nigerian community in providing higher education to those who had hitherto been unable to benefit from it.

Distance Learning requires an environment in which learners themselves actively participate in constructing their own knowledge. They need to be able to access and interpret existing knowledge and in the process, become autonomous learners.

Consequently, our major goal is to provide full multimedia mode of teaching/learning in which you will use not only print but also video, audio and electronic learning materials.

To this end, we have run two intensive workshops to produce a fresh batch of course materials in order to increase substantially the number of texts available to you. The authors made great efforts to include the latest information, knowledge and skills in the different disciplines and ensure that the materials are user-friendly. It is our hope that you will put them to the best use.

Professor Olufemi A. Bamiro, FNSE

Vice-Chancellor
Foreword

The University of Ibadan Distance Learning Programme has a vision of providing lifelong education for Nigerian citizens who for a variety of reasons have opted for the Distance Learning mode. In this way, it aims at democratizing education by ensuring access and equity.

The U.I. experience in Distance Learning dates back to 1988 when the Centre for External Studies was established to cater mainly for upgrading the knowledge and skills of NCE teachers to a Bachelors degree in Education. Since then, it has gathered considerable experience in preparing and producing course materials for its programmes. The recent expansion of the programme to cover Agriculture and the need to review the existing materials have necessitated an accelerated process of course materials production. To this end, one major workshop was held in December 2006 which have resulted in a substantial increase in the number of course materials. The writing of the courses by a team of experts and rigorous peer review have ensured the maintenance of the University’s high standards. The approach is not only to emphasize cognitive knowledge but also skills and humane values which are at the core of education, even in an ICT age.

The materials have had the input of experienced editors and illustrators who have ensured that they are accurate, current and learner friendly. They are specially written with distance learners in mind, since such people can often feel isolated from the community of learners. Adequate supplementary reading materials as well as other information sources are suggested in the course materials.

The Distance Learning Centre also envisages that regular students of tertiary institutions in Nigeria who are faced with a dearth of high quality textbooks will find these books very useful. We are therefore delighted to present these new titles to both our Distance Learning students and the University’s regular students. We are confident that the books will be an invaluable resource to them.

We would like to thank all our authors, reviewers and production staff for the high quality of work.

Best wishes.

Professor Francis O. Egbokhare
Director
General Introduction and Course Objectives

As explicit in the title of this Course - POS 334: Public Administration in Nigeria, the course focuses on the nature, characteristics, elements and practices of Nigeria's public administration. This is certainly a very broad title that covers everything about the country's public administration. The wide scope of the course is further complicated by the nature, character and dynamics of the Nigerian society especially those relating to structural and political discontinuity that always occasion frequent changes in the country's public administration. So, Nigeria being a developing, a highly heterogeneous society, a country that is of a low political culture and high level of political instability which normally lead to structural (institutional and systemic) and programme/policy discontinuities further introduced a complex dimension to the subject matter.

Most of the country's public administration institutions and tradition are just being created and the ones in existence have not assumed stability since independence. They are always in a flux. The institutions and policies continued to change as regime changes. Furthermore, the incursion of the military into the country's politics and the nature of the country's among other factors have also had tremendous impact on the country's public administration.

While it is recognized that this course focuses mainly on practice rather than on the principles or theory of administration, we cannot but discuss some of the principles or concepts of administration as appropriate in order to make for proper understanding of the course.

Given the wide scope of this course and the lack of stability in the nature and texture of Nigeria's public administration, we shall in this course adopt a combination of approaches - Histo-Period cum Thematic approach. Our approach is partly historical in that we would try to describe certain historical developments in Nigeria's political system in order to understand certain developments in her public administration. We shall also use the periodic approach in that we would want to discuss certain developments within historical time frame. Lastly, the Thematic approach is very useful and the most important of the approaches as we discuss certain themes or aspects in Nigeria's public administration. Since it is not going to be rewarding to discuss the country's public administration as a whole given its various facets, we break it down into
some salient themes or aspects - Civil Service, local Government, public Enterprises etc. - as explicit in the list of topics covered.

All of these approaches would be used singly or jointly as deemed appropriate in this course material. It is expected that this would facilitate our understanding despite the fact that these themes or issues are an integral part of the country's public administration and could not in most cases be really discussed independent of one another.

Since most of the issues in Nigeria's public administration at least up to 1980 have witnessed a considerable attention we are going to concentrate more on recent developments. This does not mean that we shall ignore the developments before this date. In fact, the present development cannot be properly comprehended without an adequate knowledge of the past.

In conclusion and for avoidance of doubts, in is important to note that, to talk of public administration in Nigeria is to refer to the various institutions and mechanisms through which the country is being organized for the attainment of the will of the state. While it is expected that the will of the state as expressed by the government, its agent, should be channelled towards the public good or public interest, it is not necessarily the case. So, national interest which public administration promotes and protects might not necessarily promote public interest at least from the perception of the ordinary people. This informs our Lecture Twelve - Politics, Planning and Budgeting and our concluding Lecture on problems and prospects of public administration in Nigeria.

Since a discussion of public administration in Nigeria as we noted is a very broad subject, which could include even foreign policy administration, we shall be selective in our choice of topics to reflect the common themes in the topic we shall discuss are not mutually exclusive and are not also exhaustive of relevant topics. We only selected the core areas and contemporary issues in Nigeria's public administration. Students are therefore expected to broaden their knowledge, and the understanding of the course material should be regarded as a guideline for understanding Nigeria's public administration. The bibliography provides sources for further reading.
LECTURE ONE

Public Administration Revisited

Introduction
In this Lecture, we shall discuss the meaning of Public Administration as the central concept which the course hinges upon. Specifically, we shall examine its meaning, scope, significance and the relationship between politics and administration that is politics administration. Our discussion shall be within the framework of a broader concept that is, Administration.

Objective
Being an introductory lecture, this lecture is intended to intimate us with the concept of administration generally and public administration in particular in other words, it aims at helping us to know the public portion in the general filed of administration.

Post-Test
In order to properly comprehend what you are about to read, attempt to answer the following question:
1. What do you understand by administration?
2. On the basis of your understanding of administration, what is public administration?
3. What are the elements of public administration?
4. What are the functions of public administration in any political system?
5. What do you understand by public service?
6. Is public service the same with civil service?
CONTENT

Meaning of Administration

In order to understand the meaning of public administration, it is necessary to first understand the meaning of the term "Administration," a generic term of which public administration is only an aspect.

Although the concept of Administration can be defined in various ways, there exists a considerable level of agreement on its central importance and its basic principles. Also, certain established practices and techniques are recognized as constituting the field. It is also agreed that administrative theory, techniques and practices enable the various organizations of society to fulfill their responsibilities and execute their policies and programmes efficiently and effectively.

To Dwight Waldo who is regarded as the ideological godfather of management, administration is a type of cooperative human effort that has a high degree of rationality, that which is characterized by organization and management.¹

What are 'organization' and 'management'? Organization is a continuing system of differentiated and coordinated human activities utilizing, transforming and welding together specific set of human material, capital among others to satisfy particular human needs in interaction with other systems of human activities and resources in its particular environment. It is therefore related to the systematic arrangement of persons and material involved in the accomplishment of a common task so as to secure the desired objectives with the least friction and maximum satisfaction for all concerned.

The different aspects of organization have been highlighted by writers²

J.D. Mooney submits that organization is the form of every human association for the attainment of common purpose. To L.D. White, it is the arrangement of personnel for facilitating the accomplishment of some agreed purpose through allocation of functions and responsibilities. Last among others, Herbert Simon states that it is "a planned system of cooperative efforts" under which each participant has a recognized or specific role to play, duties and tasks to perform.
From all the above, organization is the existence or establishment of explicit procedures to coordinate the activities of a group in the interest of achieving specific objectives. In more explicit terms, it is the defining criterion of procedure for mobilizing and coordinating the various aspects and efforts of various but usually specialized sub groups in the pursuit of joint objectives. Its basic concern is 'how to secure policy objectives in the cheapest and most efficient way.' In essence, organization is related in a rudimentary way to administration as anatomy is related to medicine.

On the other hand, management relates to the mode by which the purpose, objectives or goals of an organization are achieved. Management in our usage here is not in its restricted meaning, which refers to the house members of an organization who perform the major tasks of administration or management.

Management could also be described by certain functions and activities. According to James A.F Stoner in his book *Management*, management involves the following functions or activities - planning, organizing, leading and controlling. These shall be discussed in details later in this unit. From the way organization and management are related to administration, one can say that organization is the anatomy while management is the physiology of administration.

From the above therefore, administration has to do with getting things done, with the accomplishment of defined objectives. William H Newman stated in his book *Administrative Action: The Techniques of Organization and Management*, "Administration is the guidance and control of the efforts of a group of individuals toward some common goal. It is therefore a "determined action taken in pursuit of a conscious purpose" and a "means for the achievement of prescribed ends." Functions of Administration

To Herbert Kanfman, one way to define the "function" of administration is to state the objectives that administrative action is expected to attain. Going by this, one can simply state that the function of administration is to "carry out" or "execute" or "implement" policy decisions, or to coordinate activity in order to accomplish some common purpose, or simply to achieve cooperation in pursuit of a shared goal.

While the above attempt or defining the functions of administration is credible, another approach which is more prevalent and recognized by Kanfman himself is to describe what administrator do. This approach
unlike the above seeks to discover functions which administrators ought to perform and what their purposes should be and not to prescribe.

To Henri Fayol therefore, the functions of an administrator are to plan, organize, command, coordinate and control. These have been expanded by Luther Gulick who devised a catchword or acronym that is now very popular in public administration - POSDCORB - meaning Planning, Organization, Staffing, Directing, Coordinating, Reporting and Budgeting.

Newman is also very instructive at this stage. While he stated the overarching purposes or functions of administration as "the guidance, leadership and control of the efforts of a group of individuals toward some common goal, he went further to analyze what an administrator does. To him, the work of any administrator can be divided into five which he referred to as the "Five Basic Processes" of administration namely: Planning, Organizing, Assembling Resources, Directing and Coordinating and Controlling. The sixth group activities, "performing non delegated activities" is not so germane to our discussion here.

The "Five basic processes" adequately cover Gulick's POSDCORB. Staffing and Budgeting in Glicks can be subsumed under" Assembling of Resources' while Reporting comes under Directing and Coordinating. We therefore adopt Newman explanation of each of the functions:  

1. **Planning**: that is, determining what shall be done. As it's used here, planning covers a wide range of decisions, including the clarification of objectives, establishment of policies, mapping of programs and campaigns, determining specific methods and procedures and fixing of day-to-day of schedules.

2. **Organizing**: that is, grouping the activities necessary to carry out the plans into administrative units, and defining the relationships among the executives and workers in such units.

3. **Assembling resources**: that is, obtaining for the use of the enterprise the executive personnel, capital, facilities and other things needed to execute the plans.

4. **Directing**: that is, issuing instructions. This include the vital matter of indicating plans to those who are responsible for carrying them out, and also the day-to-day personal relationship between the "boss" and his subordinates.
5. **Controlling**: that is, seeing that operating results conform as nearly as possible to the plans. This involves the establishment of standards, motivation of people to achieve these standards, comparison of actual results against the standard and necessary corrective action when performance deviates from the plan.

**Significance of Administration**

As discussed above, administration is the strategy for getting things done. This is particularly true of complex organization and human societies which requires that many factors, groups and resources have to be brought together for goal attainment.

To Henry Fayol, one of the principal consultants to the French Government during the first World War, administration is a subject of universal importance. To him, the disintegration of France before the War was due to lack of ability and managerial efficiency. In other words, he seemed to view administration in a similar vein with Wallace Doham who says that a breakdown of civilization is mainly that of administration. M. J. Balogun has come out with a restaurant that:

> "if our civilization break down it will merely be a break down of administration and that the future of civilization itself rests upon the ability to develop a science and practical and of administration competent to discharge public function of civilized society."

One can therefore conclude in the words of Herbert Kanfman who expressed the view that Administration:

> "Is a process of arriving at decisions operationally homologous to other decision-making processes in large scale organizations and that the importance of administration lies not in the uniqueness of its functions but in the increasing prominence of administrators as compared to other participants in the making of decisions."
Generally speaking, a good administration has to be in place for goals to be achieved most efficiently with high level of effectiveness. This requires 'good procedure', 'sound decisions', and 'value for money'.\textsuperscript{12} Clearly, as Newman rightly observed the good administration or administrator is one who enables the group to achieve its objectives with a minimum expenditure of resources and effort and the least interference with other worthwhile activities.

So it is according to him, "the guidance, leadership and control of the efforts of a group of individual toward some common goal."\textsuperscript{13}

\textbf{What is Public Administration?}

What we have done above is to discuss administration in the generic sense. If one qualifies the term by public; it refers to the practice of administration in a particular segment of society, \textsuperscript{14} that is, the public sector. Elsewhere, it is said to refer to Government or the State or "that sector of administration found in political setting."\textsuperscript{15} Public administration can therefore be roughly distinguished from private or non-public administration. It is concerned primarily with" the carrying out of public policy decisions made by the authoritative decision makers in the political system..." However, the range of governmental concern or relevant issues or matters of public administration vary from one political system to other. Therefore, there may not be any clear cut distinction between public and non-public administration. Let us now attempt a more systematic discussion of the term.

Woodrow Wilson, a Professor of Political Science at Princeton and who later became the President of the United State defines public administration as, the machinery for implementing government policy and that it is the study of the most efficient way of organizing the executive branch of Government, its institution and its procedures In a similar vein, Augustus Adebayo advanced the view that Public Administration is

\textit{government administration and operation in the particular sphere of government. It is the machinery for implementing government policy}\textsuperscript{17}
In a book *Paper on the Science of Administration* edited by Gullick' and Urwick it was defined as:

‘that part of the science of administration which has to do with government, and thus concerns itself primarily with the executive branch, where the government work is done... Public Administration is thus a division of Political science, and one of the Social Science.’

From the above definitions, two things are clear. First is that public administration has two *foci* namely its being a practice and a discipline. Secondly, is the lack of consensus as to its role in government. Two positions are evident.

Apart from the last definition, the prevalent view is that which views public administration as merely a tool or instrument for implementing government policies.

While the two foci are of concerned to scholars and practitioners of public administration, public administration as a discipline is our primary concern. So, public administration as a discipline refers to it as a field of study, an area of intellectual inquiry and not a process of activity, that is, the administration of public affairs. In this sense, it is an aspect of Political Science and one of the Social Sciences. The difference between the two foci seems to have been captured by Dwight Waldo, who states that:

‘While the two meanings are of course closely related, they are themselves different; it is a difference similar to that between biology as the study of organisms and the organisms themselves.’

For us, the two *foci* are important, thus we shall focus on public administration as a discipline and as a process, in-essence, the theory and practice of public administration with particular reference to Nigeria.

In respect of the prevalent conception of public administration as an instrument for policy implementation, it is pertinent to mention here that in recent times, public administration is being viewed in a broader sense. Thus, public administration has come to mean more than a mechanism or instrument for policy implementation but also for policy or decision making.
It is therefore more credible to conceptualize public administration in a broad sense. That is,

‘the machinery used by the government or the state to place itself in a position to make plans and programmes that can be carried out and to execute such plans and programmes that it has made.’

In conclusion, the issue of politics and administration relationship has attracted some attention in the literature of the discipline. This we shall revisit below in our discussion on public administration/politics dichotomy.

Public administration, it should be added provides public service which in a broad term used to describe the various constituents or institutions or machineries used by government in planning and execution. We shall discuss this in a later part of this lecture.

**Public Administration/Politics Dichotomy**

Augustus Adebayo while acknowledging that "the study of public administration goes hand in hand" still wedged politics or policy and administration apart. According to him policy is concerned with decision of what to do,... the laying down of the broad objectives of what is to be done.” On the other hand he conceives Administration as "getting it done" That had to do with "the most efficient means of implementation policy devised by the policy makes,” Thus, he sees policy as having to do with ends while administration deals with means. He is however, not unaware of the debate on the issue.

The above which is reminiscent of earliest writings on Public Administration or the orthodox doctrine of administration paralleled administration and politics. This dichotomy as Ladipo Adamolekun noted “is without question one of the key paradigms in the study of Public Administration.”

There are two contradictory propositions on the relationship between politics and administration. The first with Woodrow Wilson, FT. Goodnow, John Pfiffner, W.F. Willoughby and Albert Stickney among others as proponents argued the view that administration should seek maximum efficiency but should be otherwise neutral about values and goals.
The second position has P. Appleby John Pfiffrer in his revised work, Marshall Dimock and Carl I. Friedrich among others argued that "the presumed separation of administration from policy and politics was ... artificial." The various positions were informed by the development of that time. The first was essentially a pre-1930s, phenomenon while the second commenced in the 1930s. The marked was significant in the two schools of thought because, it was not until during the Great Depression of the 1930s and later the Second World War that it became increasingly evident that most new polities originated within the administration, that policy and value judgments were implicit in most significant administrative decisions, that is so far as public policies were instrumental, such work inevitably involved administrators in politics.

We now summarize the two positions

*Administration and Politics as distinct activities:* Woodrow Wilson is normally acclaimed as the arch proponent of the position traceable to his 1887 article "The study of Administration." He stressed that "administration lies outside the proper sphere of politics" and that "administration questions are not political questions." On the basis of this, he concluded that, "although politics sets that tasks for administration, it should not be suffered to manipulate its officers."  

Frank Goodnow in 1900, supported Woodrow Wilson when he expressed the view that,  

‘There are... in all governmental systems, two primary or ultimate functions of government viz: the expression of the will of the state and the execution of that will. There are also in all states separate organs each of which is mainly basied with the discharge of one of these junctions. These functions are respectively politics and Administration.’ (Emphasis mine)

In their own, W.F. Willoughby and Albert Stickney went to the extent of conferring a distinct status on administration. The former not only made a distinction between politics and administration, but conferring the status of fourth arm of government on administration.
The above position on the relationship between administration and politics was a function of the realities of the period. As Adebayo noted, initially American public administration and political life was dominated by spoils politics and the patronage system until about the second decade of this century. Since the operation of the spoils politics was incompatible with and was an obstacle to the achievement of efficiency in public administration the two should be kept separate. This is apart from the realities of the relationship between administration and politics during the Great Depression and the Second World War.

**Unitary Conception of Administration and Politics**

Towards the end of the 1930s, because of the factors already discussed and more importantly the end of the spoils system as a result of reforms in American public life, the dichotomy between administration and politics collapsed.

Marshall Dimock (1937) and Carl Friedrich (1940) made some of the earliest attempt at articulating the "inseparability of administration and politics".

Marshall Dimock observed that administration and politics are coordinate rather than exclusive. Carl Friedrich three years after, concluded that the dichotomy is a "misleading distinction".

It is particularly significant to note that J. M. Pfiffner who in 1975 advanced the view that politics "must be controlled and confined to its proper sphere which is the ... declaration of the will of the community" while administration is the "carrying into effect of this will" submitted eleven years later in a revised edition of his book that in some instances, "politics and administration are so intermingled and confused that a clear distinction is difficult." In fairness to him however, he had earlier made some reservations as to the distinction, while he concluded that one should not encroach upon the other in a meddlesome manner, he recognized the fact that "politics and administration cannot always be separated or isolated."

P. Appleby's submission in 1949 seems to be an accurate statement on the new trend which reverses the rigid distinction between administration and policy making or politics. To Appleby:
Public Administration is policy making - Public Administration is one of a number of basic political process by which people achieve control governance.\(^{40}\)

Although, the above discussion on the relationship between politics and administration was borne out of the Western, the United States background and the realities of the relationship politics Administration during the Great Depression of the 1930s and the Second World War, it undoubtedly applies to the situation elsewhere, specifically in the case of Nigeria as M. J. Balogun noted;

\(\text{Nigeria's experience has reflected a constant politics with interaction in administration rather than politics administration dichotomy}^{41}\)

**Scope, Purpose, Goals and Objectives of Public Administration**

From our discussion so far, it is clear that public administration refers to that aspect of administration in a public or political setting as distinct from the non public or private. It is also evident in our discussion that public administration like administration generally means more than machinery for giving effects to policies or goals, it is also a machinery for policy or goal setting.

The institutional framework in which public administration occurs may be diverse depending on the political system, goals and philosophy of government among others. Essentially, a country's view of public administration reflects in, underlying philosophy of society and the state\(^{42}\). Usually, the term public service is generally used to describe these institutions at the central level in a unitary system or federal and state levels in a federal system while local government service is often referred to as local government service. Usually, a distinction is drawn between services and administration at different levels of governance.

The term public service is not synonymous with the civil service which is only one of its constituents. Other aspects include boards, corporations and parastatals, the university, police, prison, immigration, custom services, the judiciary, and the military (Army, Navy, Airforce) among others. In some cases, it includes the local government service.
However, given the fact that the civil service, occupies a very strategic position in the public service as it is the most central, the pivot of the institutions for public administration, it is important to give a general attention to it.

Traditionally, The New Encyclopaedia Britannica observed, "The Civil Service is contrasted with other bodies serving the State in a full time capacity." These include the military service, the judicial service and the police service. Also, in most countries, a distinction is made between the home civil service and those engaged in diplomatic duties. On the basis of the above, a definition of the civil service is proffered as,

‘a body of persons who are directly employed in the administration of the internal affairs of the state and whose roles are not political, ministerial, military, or constabulary’.

To S.O Olugbeni:

‘In conventional thought, the civil service is an instrument both for policy, advice and for implementation of the will of the State as determined to which the service must be both subordinate and subservient

So, the civil service is the bedrock of the executive arm of government with the main task of implementation and execution of the policies by the political authority. It therefore describes permanent officials in the ministries and government departments to be charged with the duty of assisting in policy formulation and implementation. One should also add that civil service in most countries also excludes local government employee and employees of public corporations which like the civil service belong to the public service’.

With particular reference to Nigeria, S. 277 of the defunct 1979 Constitution and also the 1989 Constitution states that the civil service of the federation means:
Civil service of a state was also defined in the same words substituting appropriate state functionaries. The Local Government Service is however outside it.

Civil service possess certain common characteristics. They are regarded as "professional advisor" the formulators of state policy. They are professionals because of their state of experience in public affairs which "is thought to provide them with the knowledge of the limits within which state policy can be made effective and of probable administrative results of different courses of action."

Because of the above, it is expected that the Civil Service be impartial and neutral, act in advisory capacity, want and assist those responsible for state policy, and are expected to provide the organization for the implementation once decisions are finalized.

Also civil servants are expected to operate under the principle of anonymity. The responsibility for decisions, lies with the political executive. Customarily therefore, civil servants are "protected from public blame or censure for their advice." Their actions may however be subject to judicial control and in this respect they are direct answerable and no member of the executive can defend them.

Lastly, civil service operates on an explicit organisational structure found in any large organization that is upon standard bureaucratic levels. Thus satisfying Max Webers, ideal type bureaucracy which is commonly assumed to guarantee efficiency while at the same time can degenerate to red tapism. These include "a chain of command which stretches in pyramid fashion from the lowest offices to the highest." This implies "obedience to the lawful order, of a superior. Apart from hierarchical ordering structure based on a legalized, formal authority, others are "specialization of tasks, appointment by merit, provision of equal opportunities for members, routinization of activities, and a rational, impersonal climate."

On the significance of the civil service to public administration, Jorstein Marx argues that the civil service is more than adequately
equipped to perform three of the functions requisite to effective governance, because it can act as:

i. a control tower for the flow of information.
ii. a prime source of proposals on a variety of issues.
iii. an overseer of the mobilization of resources and deployment of competence in the execution of public policy.

Furthermore it is:

i. a gatherer of facts that constantly accumulate as a by-product of administrative activities.
ii. a surveyor of public needs as well as governmental performance in meeting such needs,
iii. a fountain of ideas about what ought to be done to redress conditions for remedy,
iv. and among others, a knowledgeable and skillful draftsman in converting broad understanding about desirable goals into the detailed language of regulatory measure

While the civil service is important, it has already being noted that it is not the only institution for public administration. We only singled it out because of its importance and its strategic nature. Others would be discussed as appropriate in the various units.

Conclusion
Generally, public administration is the mechanism for determining and effecting goals and programmes requisite to the fulfillment of the will of the State or Government. In modern times this include the maintenance of law and order and the promotion of social, economic political environment necessary for the well being and dignity of all citizens.

It is also a vehicle for managing the disparate demands from individuals, groups of individuals and interest groups for government to provide certain conditions for their welfare. This is always an herculean task since the pressure of available resource is always greater and choice becomes inevitable.

For the accomplishment of its goals, public administration relies on certain process which we have described above. The processes of POSDCORB which constitute the functions of administration in general.
apply to public administration. To avoid repetition we are not discussing them again.

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<th>Summary</th>
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<tr>
<td>1. Administration is generic term in which public administration is only an aspect.</td>
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<td>2. Administration is a &quot;determined action taken in pursuit of a conscious purpose&quot; and a means for the achievement of prescribed ends.</td>
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<tr>
<td>3. It is generally believed that Administration in general is very important in any setting. That if a civilization breaks down, it is a break down of administration. Also, an intrinsic relationship exists at least in the public setting between administration, revolution, order and instability.</td>
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<td>4. Functions of administration can be explained by Newman's Five Basic Processes of Administration namely: “Planning, Organization, Assembling Resource, Directing and Coordinating and Controlling.” This is similar to Luther Gulick's POSDCORB.</td>
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<td>5. When administration is qualified by Public, it refers to the &quot;sector of administration found in a political setting&quot;.</td>
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<td>6. Public administration traditionally defined comprises those activities involved in carrying out the policies and programmes of government.</td>
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<tr>
<td>7. In the modern time, it is used in a broader sense. It is regarded as &quot;including some responsibility, varying widely in degree among governments and departments-in determining what the policies and program of government should be, as well as executing them.</td>
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<td>8. Like administration generally, public administration deals with planning, organizing, staffing, directing, coordinating, reporting, budgeting and controlling of government operations. POSDCORB, an acronym coined by Luther Gulick simply expresses the functions and processes of public administration.</td>
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<td>9. Public administration is common to all nations whatever the system of government.</td>
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| 10. The distinction between politics and administration is no longer tenable in theory and practice. Politics and administration are no
longer regarded as distinct spheres of activities.

11. The institutional framework in which public administration occurs may be diverse depending on the nature of the political system, the underlying philosophy of society and the State.

12. Public service is generally used to describe the institutions of public administration. These include civil service, the judicial and police services among others.

Things to do
a. Consult some of the books cited in this lecture for further readings
b. Read up the following topics namely, political system, unitary and federal system in order to know the type of public administration in each
c. Find out the distinctions between private and public administration.

Post-Test
1. What is administration?
2. What is the difference between public administration and administration?
3. Enumerate the functions of public administration?
4. Argue for a distinction between politics and administration? How tenable is your argument?
5. What do you understand by the public service?

Public service and civil service are synonymous terms. Do you agree?

References
cited’ in P.C.A Daudu, 'Public Administration: Concepts, Purposes, Processes and Tasks, Department of Administrative Studies, Ahmadu Bello University, Zaria (Unpublished and Undated).


6. *ibid*.

7. *ibid*. Also see, Newman op. cit., p. 4.


10. *ibid*.


15. Ferrel Heady

16. ibid.

17. Adebayo, op cit


19. Waldo, op. cit., p. 3

20. See, Adebayo, op. cit., p. 4


27. The New Encyclopaedia, op. cit.
29. Cited in Adebayo, op. cit., p. 68.
30. Frank I. Goodnow, Political and Administration, New York, 1900.
33. Willoughby, op. cit., and Adebayo, op. cit, p. 69.
34. Adebayo, op. cit., p. 68.
38. Adebayo, p. 68.
41. M.J. Balogun, Public Administration in Nigeria.
43. The New Encyclopaedia, op. cit.,p. 331.
45. New Encyclopaedia Britannica, op. cit., p. 332. 46. ibid.
47. ibid., p. 332.
50. Ibid., pp. 77-8
LECTURE TWO

The Ecology of Public Administration in Nigeria

Introduction
This lecture will discuss the relationship between the Nigerian society, the character of the Nigeria nation and her public administration since our discussion here affects the remaining aspects of this course, we shall only highlight some of the factors that actually conditioned the country's public administration. The relational problems would be left to our subsequent discussion where we shall attempt an explanation of certain developments traceable to the nature or/and character of the Nigerian society.

Students are expected to understand the factors that later affect the growth and development of Nigeria's public administration. These should be borne in mind to facilitate the understanding of some of our subsequent discussions on the development of Nigeria's public administration.

Objective
The aim of this lecture is to call our attention to those factors that intrude into Public Administration. Any public administrator who will succeed will have to take into consideration these factors. Equally, a student of public administration will have to take these factors into consideration before he can understand why certain decisions are taken and not others.

Pre-Test
1. What do you understand by the term “ecology”?
2. Why is it necessary to study the ecology of Nigeria's public administration?
3. What factors are capable of affecting and conditioning a country's public administration?

4. Attempt a discussion on the nature of the Nigeria society?

CONTENT

The growth and development of Nigeria's public administration like other aspects of the nation's life cannot be properly comprehended or understood if discussed outside the context of the ecology or evolution of modern public administration in the country.

In essence, any attempt at studying Nigeria's public administration cannot be divorced from the country's political, historical, economic, social, cultural fortunes and misfortunes and many other factors that had or are capable of conditioning the geographical entity called Nigeria. For example, the fact that the Civil Service in Nigeria is fragile, fragmentary and not a useful tool for forgoing national integration and identity is explainable by our colonial past especially the way Nigeria emerged as a country (amalgamation) which has led some people to view Nigeria as 'an artificial creation'.

It is important to note, at least from the above discussion that the factors that conditioned modern public administration are traceable not only to our immediate past, but also to our colonial and pre-colonial.

A Discussion of Factors

A lot of divergent factors conditioned the country's public administration wholly or in part. These factors largely follow the political history of the country and varied from time-to-time. While colonialism and the structural composition of Nigeria among others, conditioned the emergence of a federal public administration, in recent times, the nature and character of such administration set up have been largely influenced by the incursion of the military into politics, 'oil boom and later oil glut' among others.

A lot of factors which conditioned Nigeria's public administration had also conditioned the nature of the Nigeria society. Also, the nature of Nigerian society conditioned the country's public administration and vice versa.

Of all the factors, colonialism -an intervening period between the pre-colonial and post-independence periods, seems the most significant.
As a prelude to the discussion on these factors, the fact that there were institutionalized arrangements for the conduct of public affairs, however rudimentary before the advent of colonial rule, has to be acknowledged. These, which are in modern times regarded as traditional forms of public administration were to a large extent disparate, uncoordinated, fragmentary and rudimentary. There were as many organizational and administrative settings and there were human collectives, empires, kingdoms and even clans, among others.

Given the characteristics of these systems which were largely based on varying traditional beliefs or taboos, culture and to some extent religion with little differentiation of roles and functions, they were to a large extent inadequate and incapable of meeting the challenges of modernization, urbanization and industrialization that came with colonization.

Thus, with the advent of colonialism and the establishment of the colonial legal order which partly thrived in modern political organization with structural and functional differentiation, legality rules and regulations, there was a partial erosion of traditional political authority. This is however relative in time and space ideally, with the emergence of modern political authority in the public realm. As we shall discuss, this was not possible during the politics and administration of colonial rule. Strictly speaking, the modern public administration developed as part of the colonial set up.

In discussing the factors affecting Nigeria's public administration therefore, one can adopt a histo-periodic-cum-thematic approach. Thus, one can identify three interdependent periods which followed the country's political history which had implications for the country's public administration. These are pre-colonial, colonial and independence era. These three groupings are so broad that they have to be sub divided into sub-groups or periods according to the country's political development and the character, structure and innovations in public administration. Thus, each of the subgroups in these groupings could not be said to share common characteristics. An example is the First Republic (1960-66), First military interregnum (1966-79), the Second Republic (1979-83) and the Second Military interregnum to which the period of independence could be sub-divided according to regimes among others.

The periods of pre-colonial rule was characterized by different administrative systems as there were groups in the geographical area that make up Nigeria. While the Northern part (Fulani/Hausa) of the country
operated the Emirate system, a system that was hierarchical, authoritarian with unidirectional flow of authority and later became the bedrock of indirect rule in Nigeria, the South exhibited three distinct types of administration. The Yoruba and Benin in the South/Western part were operating a monarchical system, the South/Eastern part was operating a semimonarchial, both being pyramidal with counter-imposition of authority or checks and balances. In the Ibo land- (the East), the system of operation was what could be called Republic monarchism which was largely segmentary and operated on principles of equality and individualism. Except in the Ibo land, there were ruling dynasties with well established procedure for succession to leadership, Obaship or Emirship. In most cases the rulers wielded sovereign power or authority over their subjects. This is unlike in the Iboland where village or clan groups constituted the focus of loyalty. However, it must be acknowledged that a trend similar to the others could be suggested by virtue of the existence of Obi of Onitsha.

The Emirate System: According to historical records, the Habes or Hausa, rulers were by the Fifteenth century and essentially before the Fulani Jihad in administrative control of present day Northern part of Nigeria. Each of the Kingdoms or collectivities had its own Hausa ruler or king. Their authority was based on principles derived from a combination of the pre-Islamic and Islamic practices. Any deviation from purely Islamic standards or principles was regarded as subversive.

The various social, political and economic administrative institutions that were created had before the Jihad assured a distinctive and durable shape as there was a division between the rulers and the subjects of the ruled. These were referred to as the Sarakuna and Talakawa respectively.

However, the Jihad of Uthman Dan Fodio; a movement of religious purification brought into being a new political order. The Jihad resulted in the replacement of the Habe/Hausa monarchs with the Fulanis and a political system that was in consonance with Islamic faith was put in place. With the jihad, the Fulanis successfully colonized and imposed a new political system, Islamic religion and indeed administration system on the indigenous population and chieftdoms.

Because of the influence of Islamic religion, the rulers were regarded as prophets of Allah who must be obeyed and not questioned. Questioning the Emir amounted to questioning Allah and any sin or disobedience against the Emir was seen as a sin or disobedience against Allah. Thus, the
Emirate system was closely intertwined with the Islamic religion while there existed two classes of people, the Ruler or the Emir who must be obeyed and the Ruled or subjects who must serve and obey the Emir or the Ruler.

The Emirate system was a closed political system. So, in the Northern part of the country, the Emir laid claim to religious and political superiority. Thus, the foundation that duly constituted authority that is the Emir, should not be questioned, had been laid before the advent of the Europeans.

Because of this deference to the Emir and the existence of an administrative system that was said to be organized the British colonial authority found in that part of the country a coherent structurally and functionally differentiated and unquestionable system which was characterized by a high degree of deference to authority where mass or popular participation was absent It was functionally differentiated. There were the Waziri, Galadina, Alkali, and Hakimi among the officials charged with different responsibilities.

The system or structure was hierarchical as against the pyramidal one with counter-imposition of authority or checks and balances that existed in the Western part of the country or segmentary in the East. This is mainly because authority in the Emirate system was unidirectional. Thus, leadership was to a large extent authoritarian and subjective as against participant culture. Their reason being that, the type of norms that existed were such that merely legitimized the authority of leadership.

Lastly, the leadership could also be said to be Platonic i.e. based on the philosophies of Plato and largely descriptively based.

*The Yoruba and Benin systems:* In the case of the other parts of the country, the situation was different from the above. In the Yoruba and Benin Kingdoms and the South Eastern part of Nigeria like the present day Rivers and Cross River States, the system could be described as monarchical or semi-monarchical. The system was pyramidal and bi-directional as against the unidirectional flow of authority. Also, the leadership or Oba or King did not enjoy much deference or held with high esteem comparable to the status of an Emir.

Also, in-built into the system were checks and balances. In fact, as in the case of Oyos; there existed three sacred bodies that were regarded with reverence (respect). They were the Alafin, Ogboni and Oyo Mesi. Each of
these balanced the other. Thus, it was possible for the Alafin who is usually appointed by the Oyo Mesi to be forced to open the calabash or commit suicide by the Ogbonis.

The Ibo System: The situation in the East or Iboland was totally different from the rest. There existed a system that could be referred to Republican monarchism, a largely segmentary set up that operated on principles of equality and individualism with no established ruling dynasties.

Pre-Colonial System and Colonial Administration
It is important, just to put our discussion hitherto into proper perspective, to make some comments on how our discussion above which partly conditioned Nigeria's public administration during colonial rule and continued to have tremendous impact and effects on Nigeria's public administration till today.

With colonialism came the eventual fusion or amalgamation of the various collectivities that now constitute the present day Nigeria. Thus, three main and distinct ethnic groups- Yorubas, Ibos, and Hausas in the South Western, South Eastern and Northern part of Nigeria respectively, were brought together since the period of colonial rule; these ethnic groups which subsist till today have shaped the country's public administration. As a matter of fact, the existence of the three dominant ethnic groups has been rightly described as the 'central problem in Nigeria' including its public administration.¹

With the emergence of Nigeria by the amalgamation of 1914, there arose the need to subject all the disparate entities and divergent systems of administration already discussed under the same umbrella. The various administrative systems singly or collectively were largely parochial, rudimentary and were in no way adequate as a basis for colonial administration.

However, due to the politics of British colonial rule- divide et impera (divide and rule policy) and the relative merits of the systems in place, the British colonial administration opted for what is popularly regarded as the indirect rule policy regardless of the cultural differences in the various settings. The indirect rule policy which largely centred on the traditional leadership Emir or Oba or as in the East, Warrant Chiefs-was informed by the 'excellent traditional administrative set up under the Emirate System.
The failure of indirect rule in the East/Ibo land - its relative success in the southwestern part of - Yoruba and Benin and its success in the North could be understood by the pre-colonial arrangements.

The impact of the pre-colonial systems reinforced by colonial rule is still being felt in modern day public administration. The Emirs in the Northern part of the country continue to enjoy a lot of political and religious power and authority despite the existence of modern political authority and some reforms even under military rulers. While traditional rulers elsewhere are also powerful, their authority is incomparable to their Northern counterparts.

Many other later and present developments in Nigeria's public administration like federalism, politics of revenue allocation, and federal character among others are equally explainable by the nature of the emergence of the Nigerian 'Nation', its largely being a largely tripartite nation. Some of these would unfold in our discussion in subsequent lectures.

Other Characteristics of the Nigerian Society

Nigeria like most Third World countries especially African states have a low level of political culture, suffer from structural discontinuity and frequent changes in governmental and political system. All these, have implications on the country's public administration which attributed to certain physical, social, economic and natural variables, these variables are also said to have conditioned her public administration.

Some of the factors that have conditioned the Nigerian society and her public administration if only by their complexities include:

a. **Geographical Size**: Nigeria is relatively an expanse country. It has according to Nigeria Year Book of 1983 an area of 913.073 square kilometers (356.669 sq. miles). The distance from the most Southern and Northern parts is about 1600 km while that between the most Eastern and Western is 1,280km.

   These could be problematic in view of other characteristics of the country discussed below:

b. **Population**: The country is said to be highly populated. The 1952/53 census put the country's population at 31.1 million with the defunct Northern Nigeria having 16.8 million. On the other hand the 1963 census put the population at 55.6 million with the
defunct Northern Nigeria having 29.7 million. It is being projected that the country's population has now reached the 120 million mark.

If one assumes that the impact of size and population cannot but be exaggerated, other factors discussed below make for a better understanding.

c. **Nature of Inhabitants**: The country is made up of three major ethnic groups and numerous minorities, nationalities and other ethnic groups. The number of these has been estimated at between a minimum of 250 and a maximum of 400. These groups did not have, until comparatively recently, common aspirations. Each has its own language and custom and has accepted one or more of the main religions - Christianity, Islam and African traditional religion. Even till today, at least as evident in the recent confederal debate and its politics, it does not seem that a common bond is evolving. What this suggests is that the subjective characteristic of nationhood is absent. Thus, Nigeria is a national state or a 'nation' in the modern sense. This is indeed a problem to the country in all ramifications including her public administration.

So, in Nigeria, the three dominant ethnic groups are still very much intact and largely remain the problem of the Nigerian society as they constitute basis for competition in an spheres.

d. **Communication Network**: In geographical and functional terms, the communication network in Nigeria is largely defective. As at 1981, despite its large area it had only 80,000 km of road and 3,500 km of rail. The telephone and postal services are not also adequate. All communication networks are crude, underdeveloped and very inefficient. This has been exacerbated by language problem which makes communication among the various groups difficult.

e. **Cultural**: There exist very sharp cultural differences which keep the various' entities apart. As already noted, there are many nationalities and ethnic groups. Each with its own language and custom with prevalence of imported and African traditional religions. Since there is no common bond among them, culture still remains the primary factor that distinguished one group from the other.
f. **Economics:** The economy is largely not modernized or industrialized. Since colonial rule, it has been largely dependent on imports for manufactured goods while it merely exported raw materials which were largely agricultural produce and some mineral items. However, in recent times, crude oil has dominated her exports.

There was and still is a wide imbalance in the level of endowment and distribution of resources. Given the relative endowment, the problem of fiscal federalism remains an enduring one. Although the economy is developing, the country's economic resources is said to be enormous when compared to other African or Third World countries in general, however, squalor and poverty co-exist, in a non-comprehensible way.

The above discussion on factors that underpin the Nigerian public administration should be viewed as significant within the Nigerian setting. The reason being that, some, for example colonialism, if not all of these factors existed and exists elsewhere and produced different results. In Nigeria, the nature of these factors is so peculiar that their effects are much different if compared to what obtains elsewhere. Some of the factors which owe their origin to the emergence of Nigeria have produced results that have had tremendous impact on Nigeria's public administration. Some of these effects are now factors conditioning the country's public administration. Thus, some of the factors have been reinforced by post independence political development and practices. These will be evident as we progress in this course.

### Summary

1. Many factors which evolved mainly from Nigeria pre-colonial and colonial past conditions dictate the nature of the Nigerian society and her public administration.

2. An understanding of the pre-colonial and the character of the Nigerian society is important to the study of Nigeria's public administration.

3. Under the pre-colonial arrangements, each principality that now composes Nigeria has its peculiar political administrative institutions.

4. The colonial administration was largely influenced, for example, indirect rule principle by the pre-colonial leaders.
5. Some of the characteristics of the Nigerian society are its large geographical size, high population, divergent culture, poor communication network and a non-industrialized and import dependent economy. All these affect the country's public administration in one way or the other.

Things to do
b. Try and identify more complexities in Nigerian society by relying on the factors we have identified or through the identification of new ones.
c. Find more recent data on Nigeria's economy, population, cultural diversity and communication network among others.

Post-Test
1. What is the importance of ecology in understanding Nigeria's public administration?
2. What factors in Nigeria's pre-independence era affected her public administration?
3. How complex is the Nigerian society?
4. Can you explain the problems in Nigeria's public administration by nature of the Nigerian society?
5. Suggest measures for the emergence of an efficient public administration in Nigeria by suggesting ways of simplifying the complexities of the Nigerian society?
LECTURE THREE

Public Administration in Nigeria before 1966

Introduction
Our concern in this lecture is to outline emergence and growth of Nigeria's public administration before 1966, that is, before the January 15, 1966 coup that terminated the First Republic. In the main, we shall trace the development from the colonial to the immediate post-independence years.

Objective
Any serious understanding of the present should be preceded by an analysis of the past. This lecture is intended to give us an insight into the nature of public administration in Nigeria during the colonial period as well as in the immediate post-independence period.

Pre-Test
For you to understand the content of this lecture, attempt to provide answers to the questions below:
1. What is public administration?
2. Which period marked the beginning of Nigerian public administration in the real sense?
3. What are the factors that determine the development of Nigeria's public administration?
CONTENT

Basically, the British colonial policy was based on three principles namely, the principle or concept of White man's burden, the principle of identity coupled with the concept of preparation and the principle of white supremacy or minimally racial equality between blacks and whites. The first two principles applied in the Nigerian case. These also applied to the country's public administration. One can therefore assert that, initially the principle of white man's burden up to a period was in vogue while as a result of the realities of nationalist agitations among others, the British administration had to recognize the right of Nigerians to self determination, hence, the principle of identity. However, while the right to independence was acknowledged this had to be achieved through a period of tutelage and in a disjointed incrementalist approach with the British parliamentary model and institution including a public service patterned along the British model was the goal. Our discussion in this lecture therefore follows the two broad trends above. The first was essentially before 1946 while the second applied to the remaining period covered by this unit. Thus, as we discussed in the last lecture, the developments in Nigeria's public administration followed the country's political history in this case as influenced by colonialism.

The Period before 1946

The country's public administration/service was basically alien and colonial except for the involvement of traditional rulers or chiefs under the indirect rule system which was introduced in the West and Eastern Nigeria in 1916 and the late 1920s respectively. Also all senior civil service posts were filled by expatriates until early 50s.

It is always difficult to determine where a discussion of Nigeria's public administration should start. Is it in 1857 with the British occupation or conquest of Lagos after which it proclaimed it a colony or 1900 with the effective British occupation of northern Nigeria when the British took over the Northern Nigeria from the Royal Niger Company and proclaimed it as a Protectorate, or 1914 with the amalgamation of the Colonial and protectorate, of Southern Nigeria (which were merged together in 1906) and the Protectorate of Northern Nigeria? Whichever one adopts, the fact remains that the system of administration then was largely colonial and based on some traditional precepts as well.
Strictly speaking, before 1914, the whole country was under the Governor and the British civil servants, the most senior being the Chief Secretary, Financial Secretary and Attorney General who related to the Governor in advisory capacity. By 1866 when the British got firm hold over Lagos and proclaimed as a Colony, it had its own Governor, Legislative and Executive Councils which were advisory. In 1900 on proclamation of the Protectorate of Northern Nigeria, the North came under a High Commissioner who introduced indirect rule. By 1906 with the merger of the Colony of Lagos and the Protectorate of Southern Nigeria, the administration came under a Governor.

On amalgamation in 1914, all parts of the country came under a Governor General and two Lieutenant Governors for the Northern and Southern provinces while an administrator was in charge of Lagos.

To Adamolekun' two basic features of the colonial governmental system since the formal establishment of a single governmental system for Nigeria in 1914 were that (1) it was an alien system imposed on the people by military conquest and (2) it was marked by a 'concentration of all power (executive, legislative and judicial) in the hands of appointed officials who had no obligation to govern with the colonized people and were responsible to their 'home' government.

The indirect rule system was the pivot of colonial rule up to 1946. The system which was a system of 'rule through the native Chiefs' was informed by the excellent and effective traditional, institutional administrative arrangements, the British authorities met in the Northern Nigeria under the Emirate system and the British colonial policy to keep down the cost of administration. It was also adopted for strategic reasons as a total change in the existing arrangement may be problematic. The system which had been in vogue in the North before the advent of the colonial masters was later introduced in the Western and Eastern Nigeria in 1916 and the late 1920s respectively.

Since the system was predicated on the existence of traditional administrative arrangements, which were in place in the West, its introduction was not problematic in Western Nigeria. In the East however, it was resisted because the colonial authorities had to create warrant chiefs in process of its introduction, as the chiefs were not in existence. The effect of this was the introduction of indirect rule in the East in an interventionist manner; this led to its failure in the East as against its successes in the North and West. It is, however, important to note that it
was more successful in the North. It should, however, be noted that, the indirect rule was not really 'indirect' as chiefs were mere agents as they took order from the representative of the Majesty's Government; the Lt. Governor, Residents, District Officer and other British administrative officer. While in the North, the appointment of Emirs was in principle, the responsibility of traditional king makers, the Resident in consultation with his Lt. Governor decided in reality. In the East and to some extent in the West, the British authorities were involved in the appointment and removal of chiefs. So, indirect rule was in practice direct.

The system was in place throughout the period of our discussion until after the 1946 Richards Constitution and the subsequent constitutional changes in Nigeria which ushered in participatory democracy, representative government and involvement of Nigerians (the educated elites) in their own affairs. It is interesting to note that only very few Nigerians were in the British 'Unified Services' or colonial services even after the 'The foot' of 'Nigerianization' Report of 1948 which examined and recommended how best to increase the size of Nigerians in senior civil service.

**Federalism and Nigeria Public Administration**

The structure of Nigeria's public administration which was largely unitary was partially altered by the 1951 Macpherson Constitution which introduced a 'quasi-federal' arrangement and substantially by the 1954 Lyttleton Constitution which formally ushered in a federal political system.

The 1954 Constitution which was a reaction to the flaws in the Macpherson constitution which tied the central administration to the regions and the disagreement between the Northern and Southern parts (East and West) of Nigeria on the Nigerianization of the civil service and the date for self-government in Nigeria formally recognized the three regions-East, West and North-as separate administrative units with a federal government acting on behalf of the generality for the whole country.

Before the Constitution, there was a unified civil/public service for Nigeria. The powers for transfer, appointment, promotion and discipline belong to the central civil service. Allegiance of officials who could be transferred anywhere in the country was not to the regions but to the central authority.
Also, while the South speedy Nigerianization of the civil service, the North for fear of domination favoured Northernization of its public service. Specifically, the North proposed that any appointment of any non-expatriate non-Northerner should not be made without prior approval of the North. So, the utility or the central civil service among other institutions was being questioned.

The 8-point programme of the Northern Peoples Congress (NPC), the dominant and government party in the North was clear on this. In part, the NPC demanded that the Northern Region shall have "complete legislative and executive autonomy with respect to all matters" except defence, external affairs, customs and West African Research Institutions. Also, it demanded that each Region should have a separate public service.

The issues among others formed the agenda of the 1953/54 London and Lagos Conferences. One outcome of the Conferences that affected Nigeria's public and civil services was the establishment of a federal system of government in which residual powers could be vested in the hands of Regional governments. Another is that 'Her Majesty's Government' would grant self-government to those regions which desired it in 1956.

So, with the above decisions, Nigeria's Public/Civil Service was decentralized along federal principle.

With this, what used to be a centralized civil service became four services-One Federal and three Regional. With this development, the Directors in the Central Civil Service were given the option of staying or going to their regions.

Reforms in the Structure of the Civil Services: Emergence of Classes and Integration

Another development was in the structure of the civil service. This was in 1956. The two broad classes -senior officers (mostly expatriates) and junior officers (mostly Nigerians) gave way to three classes, General Service, Specialist and Department classes.

It must be noted that the civil service was before 1957 organized along functional lines headed by a Director who was usually the most senior professional officer as the head of functional departments.

With the processes of integration of 1975 the various departments which operated along functional lines were merged. Thus, departments
performing related functions were integrated into ministries under a Minister who was the political executive of the ministry and who also coordinated the affairs of the ministry. He claimed credit and received blames for his actions and inaction. For the ministry to operate, there were permanent officials known as civil servants.

While the integration brought the Nigerian public administration in line with the requirements of the British parliamentary system and in conformity with the general trend, it however created significant problems which subsist till today. It automatically led to a clash or conflict between the professionals (specialists) who hitherto controlled their departments and the generalists (administrators) who performed routine jobs and now coordinated the integrated departments. Thus, integration subordinated the professionals to the administrative class from which appointment of the Permanent Secretaries were normally made. This is however, not a rule. This conflict was inevitable given the adoption of the British model. It was however, not peculiar to Nigeria. It was also the case in Britain.

The conflict has engaged the attention of experts in public administration for quite some time. To Professor Ridley, who writes from the British experience, the doctrine that the specialist should be on tap (instrument) and not on top is absurd. And that, since the generalists were laymen who knew nothing about their task, there is the problem of their not possessing requisite knowledge for effective functioning. To him, there was no point being on top without knowledge of the subject matter of the ministry he is heading.

On the other hand, it had been argued that given the type of issues involved in public administration, a generalist should be in charge as he is broad minded and could listen without bias before taking a stand. That it might not be necessary for the generalist to be knowledgeable as experts professionals will be the source of information and more importantly the problem of knowledge ability does not arise as the experts are supposed to put their advice in laymen language. Also, the generalist having a basic education will learn on the job.

Despite the problems of integration, it had some salutary effects on the system. It made for effective coordination and harmonization of the activities of the hitherto disparate departments as previously related departments were brought under a ministry. Efficiency is an obvious consequence of this. It also made for accountability while making the Nigerian Civil Service to conform to the British Civil Service tradition.
The Nigerian Civil Service at Independence

One major development since 1955 and more specifically between 1958 and 1960 was the indigenization or Nigerianization of the civil service. As already noted, the senior posts on the civil service were dominated by expatriates who technically were Her Majesty's civil servants. Their tenure of office and conditions of service were determined and guaranteed by the British Government.

When independence was approaching, the issue of the position of the British civil servants and their needs for Nigerians to take over became a problem. The fact that the civil service should owe its allegiance to Nigeria at independence complicated the problem.

Since many of the British civil servants could not stake their career and serve any other authority in independent Nigeria other than Her Majesty's, they withdrew their services. Only few whose services were indispensable were persuaded to wait. Those who opted out were compensated for loss of career. They were paid lump sum compensation based on age.

The withdrawal of service by the expatriates put the Nigerian Civil Service under severe strains and stresses. It also posed a lot of challenges that made Nigerianization a pressing issue.

There had been attempts since 1955 to prepare Nigerians for the post-independence challenges. As far back as August 1955, steps were taken through the publication of a White Paper, which set out proposals for accelerating the pace of Nigerianization. These included training at all levels, increased placements in secondary schools, provision of scholarships for higher education and training of at least 150 serving officers annually.

Two years before independence, only few of the most senior positions were held by Nigerians. This led to the setting up of a Parliamentary Committee by the House of Representatives in March, 1958 to assess the pace of Nigerianization and suggest measures for acceleration. The committee's findings implicated the British colonial rule. It was discovered that the British discriminated against Nigerians in favour of the expatriates in the provision of facilities for advancement.

By October 1, Nigerian had lost many of her experienced civil servants for reasons already discussed. In their positions were Nigerians who had to rise up to the challenges. At independence therefore, Nigeria
had a Federal Civil Service established along the British Civil Service tradition. In other words, it was part of Nigeria's colonial heritage. Like the British Civil Service, it had the following features in permanency, impartiality, anonymity, apolitical and meritocracy. It also had four classes - Administrative, Professional, Executive and Clerical.

What the Nigerian civil servants needed was an atmosphere to really settle down and train to acquire requisite experiences. This was, however, not the case as the political climate became abnormal shortly after independence.

No sooner after independence, there was the Western Region Crisis and the crisis that resulted from the 1962 Census. In 1964 there was a general strike and a turbulent election in the West in 1965. Even in the midst of some of these crises there was the creation of the Mid-West Region in 1963 which further dissipated the personnel in the Western Region Civil Service.

The cumulative effect of the above was the inability of the civil service to adjust and rise to the challenges. Also, the civil service came under more strains through the creation of an additional Region which led to a federation with four units and they having to manage crisis. So there was no room to stabilize.

All these culminated into the coup of January 15, 1966 which introduced many dimensions into Nigeria's Civil Services. The incidence of military coup and its chains of reactions and impacts on the public service shall be discussed in subsequent lectures.

Summary

1. There is an intrinsic relationship between the pre-colonial, colonial and independent Nigerian public administration.
2. The Nigerian public service was initially colonial and was operated under the indirect rule system which was interventionist in the East and non-interventionist in West and North.
3. The 1954 Constitution formally brought in a Federal Public Service in Nigeria, an arrangement which subsists till today.
4. The integration policy of 1957 brought departments performing related functions under a ministry.
5. The integration policy brought about the generalists and professionals conflicts.
6. The Nigerian Civil Services came under severe strains, stresses and challenges with the approach of and at independence as a result of the withdrawal of expatriates who dominated the country's public service.

7. The various crises that engulfed the country at independence did not allow the civil services to actually stabilize.

Things to do
a. Read more about colonial administration and indirect rule.
b. Find out details of the character of the Nigerian Civil Public Services independence and years after.
c. Read more about the Macpherson (1951) and Lyttleton (1954) Constitutions and their implications for Nigeria's public administration.

Post-Test
1. What is the linkage between the pre-colonial administrative system to Nigeria?
2. What do you understand by indirect rule?
3. Attempt an assessment of indirect rule.
4. What were the reasons for the adoption of federalism in Nigeria?
5. Discuss the consequence of federalism on Nigeria's public administration.
6. Why was Nigerianization of the Nigerian public service inevitable? How successful was it?

Reference
LECTURE FOUR

Public Administration under the Military I

Introduction
In this Lecture and Lecture Six, we shall discuss the military as an institution, its involvement in politics and its impact on Nigeria's public administrations.

After you might have completed reading this Lecture, you are expected to be able to grasp or understand the nature of the military, the circumstances under which the various regimes governed their effects on public administration and be able to explain the developments. We focus here on the military between 1966 and 1979; that is the post-First Republic military.

Objective
This lecture highlights a peculiar nature of public administration in a Third World country like Nigeria. It discusses the universal role of the military in modern societies and the additional responsibilities it takes in a country like Nigeria. It also examines reasons for military intervention in politics.

Pre- Test
As a guide, you should try and answer these questions:
1. What do you understand by the military?
2. What is the traditional role of the military?
3. Why did military have to come into politics at different stages in Nigeria's national development?
4. Attempt to list the various military regimes in Nigeria since 1966.
5. Enumerate some of the developments in Nigeria's public administration under the military?

CONTENT

1. General Overview

January 15, 1966 marked the beginning of the military intervention in Nigeria's politics. On that day, some Majors in the military under the Late Major Kaduna Nzeogwu with some other young officers in the Nigeria Army terminated the First Republic under Alhaji Tafawa Balewa and Dr Nnamdi Azikiwe who were Prime Minister and President (titular or ceremonial) respectively. The collapse which brought the parliamentary system to an abrupt end eventually led to the emergence of the General Officer Commanding, Major General Aguiyi Ironsi as Head of State and Supreme Commander of the Armed Forces. This could be attributed to the Majors' failure.

Since the first coup there had been many others and some attempted coups. The successful ones brought in different regimes with varying structures, characters or land actors, philosophy had to operate under different circumstances. However, one can attempt two broad categorizations of the military in Nigeria's politics. These are the post-First Republic and post-Second Republic military regimes. The first was from January 15, 1966 at the period the military handed over to the democratically elected civilian regime on October 1, 1979. The second was from the collapse of the Second Republic consequent on the coup of December 31, 1983 (that terminated the inglorious tenure of Shagari) to present. These broad but convenient categorizations can be misleading as each period witnessed many military regimes. While the first coup in each of the periods was against the civilian, subsequent ones were against military regimes - that is military -military as against military -civilian coups. For example, in the first category, the first coup that brought in Major General Aguiyi Ironsi ousted a civilian regime. But Ironsi's regime later yielded to Lt. Col. Yakubu Gowon (now General and retired) July 29, 1975 and thereafter the Muritala/Obasanjo regime that eventually handed over power to the politicians of the Second Republic. Also, the post Second Republic military regimes started with the Major General Muhammadu Buhari regime which gave way to the present military regime under General Ibrahim Babangida after August 27, 1985 military coup.
Military regimes have also had to change by coup from its members for various reasons which like other coups against civilians bordered on the military’s corporate interest and public interest. The most common of such are in respect of the latter. For example, the late Major Nzeogwu claimed to have seized power to "stamp out tribalism, nepotism and regionalism..." Tribalism, the charge against Ironsi who was accused of Ibo hegemony; unilateral promotion of some 18 Majors to the rank of Lt. Colonel with 80 percent being Ibo-speaking, attempts at reverting Nigeria's federalism among other spelled doom for the Ironsi regime. On the July 29, 1975 coup, the Muhammad's Policy Statement of July 30 gave the following as reasons, namely the need to rescue the nation from groping in the dark, a situation that "would inevitably result in chaos and bloodshed," collective responsibility in governance giving way to "lack of consultations, indecision, in discipline and even neglect", a trend which to him was "clearly incompatible with the philosophy and image" of the regime's claim to be a corrective one. Among others was tenacity of office that is Gowon not wanting to relinquish power in 1976 as planned four years earlier. Also, the regime was accused of corruption and general loss of direction.

2. Military and Public Administration

Public Administration in Nigeria certainly experienced a lot of changes under the various military regimes. As a matter of fact, the military governments, possibly because they have been in control of government longer than civilian regimes and the circumstances in which they have had to operate have made more impact on the country's public administration. These changes were mainly in the area of constitutional and institutional engineering or reforms and inter-governmental relations among others.

Although except for the attempt by Ironsi to "replace the federal framework with a more unified and centralized' political system, Nigeria has been federal in principle; the military has, however, brought a lot of centralizing tendencies, a function of its organizational framework into the country's public administration.

Nigeria now has a public administration outfit that differs significantly from the one the earliest military regime inherited. There had also been a lot of discontinuity in structures and policies at times in
backward forward manner. For example, the offices of Head of Service and Secretary to the Government which were separated in section 157 of the 1979 Constitution were fused under the Buhari regime (1984-1985). This was reversed by the Babangida administration when it took over in 1985 until the civil service reform of 1988 when the office of the Head of Service was abolished. Thus, the country's civil service, local government, public corporations, university system, the police and even the judiciary have witnessed a lot of changes which are not necessarily progressively positive. So, the changes in respect of the various components have not been consistent under the regimes and in some cases progressively incremental. Policies have been reverted even under the regime that invented it.

The remaining part of discussion here therefore focuses on some of the developments and changes in Nigerian public administration under the post-First Republic military. The second is our focus in the next lecture.

3. Post-First Republic Military Regimes, and Nigeria's Public Administration

The book *Nigerian Government and Politics under Military Rule 1966-79*, edited by Professor Oyeleye Oyediran and published by Macmillan Press Limited in 1979 is very informative on the impact of the military on not only the country's public administration but also its governance and politics in general. The book focuses specifically on certain aspects of Nigeria's public administration namely, Civil Service, Local Government, Nigeria's constitutionalism among others.

In this aspect of our discussion we focus mainly on selected aspects of public administration-civil service, local government, inter-governmental relations, public service reforms among others: Some of these are discussed in greater details in other lectures, we only offer an outline here.

a. The Civil Service

There is no consensus on the effect or impact of the military on the civil service. Essentially, two opposing views exist. There are the 'Insider's and' Outsider's views of the civil service, in Chapters 4 and 5 of Oyediran's book respectively.

The Insider's view, a contribution by Chiedo Asiodu, one of the super Permanent Secretaries under Gowon is expectedly that of the defenders of the civil service. The second, that is, the Outsider's view by S. O.
Olugbemi, a Lecturer in Political Science at the University of Lagos represents the view of Academics and businessmen. Some civil servants also share this view (See, Nigerian Chronicle, September 1981 p. 16).

It is more rewarding to start with the second as it made negative charges against the civil service under the military.

According to the Outsider's view, 'the civil service under the military exploited the innocence of the military in government and assumed new powers'. That, a close relationship existed between the civil service and the military in the formation of policies and that indeed decisions and policies were made by the civil service which should act in advisory capacity to the political executives. One of such policy decisions usually attributed to the civil service was the creation of twelve states in 1967 which to many came from the civil service.

Furthermore, the civil service was charged with involvement in intensive and extensive activities directed towards the satisfaction of its sectional and/or corporate interests in the erroneous belief that what was good for the civil service especially its top members or group of them was equally good for Nigerians.

On the whole it was submitted that the civil servants should be held responsible for government decisions, actions and inaction during the period and concluded that the civil service under the military became very powerful, inefficient, over-paid, self-seeking and corrupt.

While it might not be inappropriate to argue like an Outsider that the civil service capitalized on the innocence of the military, it is however more credible to state that the civil servants if at all they were a group of opportunists during that period succeeded in exploiting the military because of the ignorance and the character of the earliest military rulers and the advantage the civil service had over other social and political institutions including the military. Another important factor is the political development in the country, which could not be attributed to the actions of civil service that created a field day for the civil servants.

On the other hand, the Insider's view which although was written by Asiodu was not exclusively his view as he was the only representative of his colleagues especially Messrs. Lawson and Allison Ayida.

To them, the civil service or its hierarchy cannot be held liable for government decisions and that the characteristics attributed to the civil service by the structures, powers and functions of the civil service
remained same under the military.

Whatever the fact, that the civil service became very powerful cannot be disputed in that, the civil service witnessed some extra-ordinary involvement in the political process contrary to the rule of civil service tradition which only conferred advisory and not real political or decision making powers on the institution.

The fact that the civil service went beyond its advisory role and actually made decisions, one must point out, was a function of the political development in Nigeria under the military.

Some of the developments that facilitated the above include:

a. suspension of some aspects of the 1963 Constitution relating to partisan politics, for example, the proscription of political institutions and associations. This created a leadership vacuum and absence of political activities. With this being the case, the civil servants became the fillers of the vacuum. This development which started in form of the military incorporating the civil servants got transformed to be right of civil servants. It was in this way that the top hierarchy in the civil service became members of the Federal Executive Council alongside their political executives (commissioners as they were then called) without any constitutional amendment or announcement

b. the fact that senior civil servants were involved in the management of public enterprises either as chairman or as board members can also be adduced as one other development that gave the impression of the civil service becoming very powerful. For example, Mr. Ayida, one of the Federal Permanent Secretaries (Ministry of Finance) under Gowon was said to be a member of over fifty Boards in his capacity as Permanent Secretary in the Ministry of Finance.

c. the last among others, is the defence of the unusually high level of political involvement of the civil servants by Mr. Lawson, a former Secretary and Head of Service of the Federal Military Government who opined that "the civil servants have more stake in the life of the nation than the Commissioners."
While the insiders especially P.C. Asiodu and Lawson argued that the structure and functions of the civil service did not change under the military and that the recruitment and promotion criteria remained same under the military as in the First Republic, they however acknowledged the existence of a change in the public image of the civil service which to them tended to give the impression that the civil service transcended its traditional boundary and the practitioners had become "very powerful and overbloated."

The change in public image to them was a function of some developments the circumstance of the period of military rule especially in the early years which were not unrelated to our previous discussion, specifically, the developments included:

i. the fact that the heads of the ministries, that is the political executives were less in government affairs quite unlike the political executives before the military, So, the fact that the political executives did not effectively occupy the positions assigned to them led to the usurpation of the powers of the commissioners thus, making the Permanent Secretaries powerful. The main participants in governance with the exception of the commissioners according to Lawson had their career to think about;

ii. the pre-occupation of the military leadership with social and economic development rather than political activities. In essence, the military could not play the game like politicians. This gave the civil servants an unprecedented opportunity for creative activities. So the civil service that should be behind the scene and should not be heard became visible and exposed to publicity which tended to make them wielders of power and politicians;

iii. the fact that the civil service which before the military was mainly concerned with public law and order became involved in social and economic developmental activities;

iv. the absence of the usual maneuvering and political party activities that usually preceded decision making. This made it impossible for the various interest to be aggregated and articulated. The resultant effect was the dominance of the civil service and its influences;

v. the absence of politicians in governance especially between January 15, 1966 and May 1967, that is under the Ironsi regime.
During this period policies were not subjected to normal party/political considerations. The civil service claimed to have resisted the idea that wanted them to assume political, leadership of their ministries in the, absence of the political executives;

vi. the political development in the country made it imperative for the civil service to play the role of political executives. For example, the responsibility to manage the various political crises like the secession bid fell on the civil service in the absence of political executives and politicians;

vii. When the political executives were appointed by Gowon in June 1967 many of them who were well known politicians could not function effectively. They not only lacked popular mandate, they belonged to a class that was humiliated from office by them. So, there existed credibility problem; and

viii. decision making under the military did not involve many people as there was no formal public forum or parliament for public advocacy.

To the insiders, the performance of the civil service was impressive and that the higher echelons of the service did play a significant role in ensuring continuity of government and the unity of the country especially during the turbulent episodes of 1966. For example, it was coups or senior civil servants that dissuaded Northern Army officers from declaring secession in July, 1966 (See, National Concord, October 27, 1987, p. 3). They argued that the persistence of the opinion of the public on the image of the civil service was very powerful due to the failure of public relations to alter the perception of the role of the civil service who then looked like political 'masters'.

Beyond the explanations above, the fact that the military and the civil service worked as close partners has been explained by the internal logic and characteristics of the institutions namely:

i. if one considers the Nigerian political environment in its totality at least as at the time the military struck, the civil service was the only area in the Nigerian public life where experience abound hence an avenue of policy ideas;

ii. the commonality of characteristic and interest argument which opines that both institutions had identical interest, similar organizational bureaucratic characteristics - hierarchy
specialization, role specification, esprit de corps, order, discipline - and commitment to goal achievement and to 'national service';

iii. power of knowledge explanation which emphasizes the fact that only the technically competent should lead. For example, Major Nzeogwu was quoted as saying "after all, we have now got experts to do the job for us." The civil service harboured their so called experts. So the character of the civil service put it at an advantage. This fact was recognized by the military; and

iv. deficiency of the military especially in its early years.

The military was essentially a professional institution and not suited for administration and politics as at the time of the first coup. It was a largely politically inexperienced and ignorant military operating strictly within the framework of a military that was to defend the sovereignty and territorial integrity of Nigeria and not to rule.

All the above made for military - civil service coalition and the ascendancy of the civil service.

While it is true that the civil service went beyond its traditional role, the point should be made that those position is not tenable throughout the period in question. During the period there was also the decline in powers and status of the civil service while the characteristics of the civil service whittled down. This was under the General Murtala Muhammed regime, the regime that took over from General Gowon on July 29, 1975.

After the overthrow of General Gowon a massive and unprecedented national purge ensued. The civil service which should thrive on the principle of anonymity, non-partisanship and permanency was accused of being responsible for the 'drift and indecision' of the later years of Gowon in office, hence the need for an overhaul. As a matter of fact, General Gowon blamed his collapse partly on his advisers who were largely the top civil servants.

As already discussed, Gowon's era witnessed so many top civil servants that had been rightly described as super-Permanent Secretaries who claimed to be experts that should be listened to.

With the overthrow of Gowon, the Murtala regime embarked on programmes to restore discipline, probity and accountability in public service by:

i. Reverting the civil service back to its traditional position. Top civil servants were barred from further attendance of meeting of the
Federal Executive Council. They were only to attend Council meetings at the request of their commissioners in advisory capacity and not to participate as members of the Council. The Council was specifically charged with the task of policy formulation and implementation within the guidelines, the Supreme Military Council and the National Council of State.

ii. The purge of the civil service which led to about 11,000 workers retired or dismissed for varying reasons. The aim was to bring about a more efficient civil service and to increase productivity in the public service generally.

iii. In order to improve the quality of public service, measures which included the creation of such bodies as the Public Complaints Bureau which was supposed to have a function similar to that of an ‘Ombudsman’ the Corrupt Practices investigation Bureau and the National Security Organization were established to enhance accountability and probity in public office.

b. Local Government

This is another area that witnessed some changes under the military from 1966 to 1979. Before 1976 when there was the introduction of a uniform local government system in Nigeria, disparate systems of local governments existed in Nigeria. The subject of local government reforms also fell under the Regional/State and not the Federal.

The reform which was national as the guidelines applied to all states made local government a federal issue. The critical aspects of the reform were:

a. local government were recognized as a tier of government in Nigeria;

b. it introduced a uniform one tier multipurpose as against multi-tier government structure;

c. local governments started to derive part of their funding statutorily as against grants-aid; and

d. local governments for exceptions were created on a uniform population criterion. Thus, the size of a local government was between 150,000 to 800,000. Only urban areas could have a local
government of more than the upper limit 800,000 while none was to have less than the lower limit which was 150,000. Details of the above changes are discussed in subsequent lectures.

c. **Inter-Governmental Relations**

Though Nigeria was before 1976 a federation with two levels of government and three after 1976 with the local government as the third tier government, the administration at all levels was centralized. The explanation lies in the nature of the military, especially its unity of command and the reality of Nigeria’s federal power structure.

So there was federal supremacy evident in the subordination of the state to the federal and the local government to the two and - federal government obliterating state autonomy in decision making. Manifestations were in:

i. the various meetings being held at the instance of and usually presided over by the person at the centre. For example, it was not infrequent for the federal political executive (Commissioner) in a ministry to summon his counterpart to meeting which he normally presided over. Under a truly federal setting such would be unacceptatble without some understanding and consensus;

ii. the public service at the federal becoming superior to the State. This was formalized by the Public Service Review Commission's recommendation that the Federal Permanent Secretary be put on a grade level higher than his State counterpart. Thus, a Federal Permanent Secretary was on Grade level 17 while his state counterpart was on 16.

So, the military in many ways altered the relationship between the Federal and State Civil Services from being on equal footing by each taking charge of its areas of jurisdiction, the subordination of the state to the federal. As a matter of fact the regions of civil services were very powerful as the regions were in most cases instrumental to the determination for central policies during the First Republic; and

iii. another manifestation, was the introduction of a unified grade structure and organization on both Local, State and Federal public services consequent the acceptance of that aspect of the Public
Service Review Commission in 1974. With this, a uniform salary grading 1-17 was introduced at all levels of government.

These changes which started in the early 70s cannot be simply explained by the military grip on Nigeria but also by some of its attendant consequences and certain other developments during the period namely:

i. Oil boom which accrued to the Federal Government and the revenue allocation system which gave the federal over 70% of the Federation Account.

ii. Creation of states (twelve in 1967) leading to proliferation of civil services, smaller states in area, demographic and financial terms. This rendered the states to be weaker than when there were only four regions.

iii. Organizational structure of the military.


d. Changes that came through the 1979 Constitution

Many changes most of which could be discussed in subsequent lectures came with the defunct 1979 Constitution (fashioned under the military) which either entrenched some of the existing policies and practices under the military or new provisions as a result of the deliberations by the Constituent Assembly.

These are itemized below:

i. the introduction of the presidential system at both the federal and state levels as against the parliamentary under the First Republican Constitution;

ii. entrenchment of a system of democratically elected local government by virtue of section 7 dealing with the establishment of democratically elected local governments, section 149 which partly provides for statutory funding of local governments and the Fourth Schedule which relates to the functions of local governments. The constitution therefore made local government a constitutional issue for the first time;

iii. entrenchment of the federal and state character principle by virtue of section 14(3) and 14(4) of the constitution respectively. Thus,
the issue of composition of the Federal Executive and State Executive Bodies became a constitutional matter. Before, quota which was used especially at the federal was largely based on political expediency and not mandatory. Section 177 of the constitution provides a justification for federal character namely to Nigerians a sense of belonging, national unity and loyalty to the nation. The validity of the justification depends however on whether or not one is on the receiving end;

iv. there was the provision for a 'Code of Conduct' backed by a 'Code of Conduct Bureau' and a 'Code of Conduct Tribunal', to regulate the public behaviour of public officers and to check abuses in the exercise of State power on the part of public officers; and

v. two legislative lists, the Exclusive and Concurrent for federal, and both (Federal and State) respectively were created. There was no Residual List as obtained under the defunct 1963 Constitution.

4. Conclusion
From our discussion in this lecture it is clear that military (between 1966 and 1979) had a lot of impact on the country's public administration. Most of these from our discussion were in the area of institutional and constitutional reforms. It is a different matter altogether if the changes were desirable, adequate or enduring.

While we have not evaluated the developments in this lecture, other lectures focusing on some related themes attempt some evaluation.

It is very important at this stage to address a controversy on the impact of the military on public administration during the dying years of the post First republic military administration.

It is generally believed especially by practitioners that the military spoilt the civil and public services. This is evident in the insiders' argument which suggested that without the military the civil service could have been different.

Mr. E.E. Monjok, a retired Head of Service in the Cross Rivers State did not go away with a good impression of the civil service he presided over on his retirement (See, Nigerian Chronicle, September 1, 1981, p. 16). To him, the civil servants with particular reference to the one he headed, "have neglected their role as the servant and behaved like masters". That they have lost the virtue of servant and that the civil service
was steep in discourtesies with a lot of stealing going on. This applies to all other aspects of public service and administration as well.

The above assessment like most others indicates that the purge of the public services, which was on a massive scale and was said to have no equal in Africa (See National Concord, October 27, 1987) was of no effect. The purge was to be counter-productive as according to Augustus Adebayo it "punctured a hole in the public service and led to a feeling of insecurity and destroyed the spirit of initiative and self confidence" (See National Concord, September 26, 1985, p. 5). So, the measures employed by the Murtala administration to deem up the service undermined by the morale, commitment and productivity of public servants. The purge was said to have "degenerated' into an exercise in witch hunting and victimization, providing opportunities for the settlement of personal scores within the service". Also, it led to the arbitrary elimination of those whom their colleagues had regarded as "too progressive“ to serve in an institution wholly devoted to a religious maintenance of the status quo. (See National Concord, October 27, 1987, p3). It grossly violated the civil service regulation and the principle of natural justice.

The loss of security of tenure that is, permanency of tenure in the service consequent the civil service grave compromise of their commitment to the maxim of neutrality, im-partiality and anonymity through "unfettered exposure of its top functionaries to those responsibilities hitherto the reserve of decision makers and Chief Executives" between 1966 and 1975 according to P.C. Asiodu, one of the super-Permanent Secretaries led to the loss of job by innocent patriotic and dedicated civil servants. (See, Nigerian Observer, 17 April, 1986).

On the whole the purge was counter productive in three ways;

i. the efficient, responsive and polite civil service envisaged never emerged after the purge;

ii. it led to voluntary withdrawal of service through voluntary retirement of some experienced and financial officials for loss of confidence in the security of their Jobs.; and

iii. the remaining officers, were highly demoralized.
Summary
1. Public administration under the military experienced a lot of changes.
2. The changes could be explained by the incursion of the military and other political developments in Nigeria.
3. Most of the changes were in the area of institutional and constitutional engineering.
4. The nature and structure of the military largely explain the centralizing leadership tendencies in Nigeria's federalism, for example Nigeria's inter-governmental relations. There was only at best a federal principle and not a federal practice in Nigeria under the military.
5. In the post First Republic military, the changes in Nigeria's public administration were in the area of the civil service, local government, inter-governmental relations among others.
6. During the period, there was the ascendancy (between 1966-75) and decline (1975-79) in the civil service.

Things to do
Read the following references,


Post-Test

1. How can you categorize military rule in Nigeria?
2. Enumerate some of the changes in Nigeria's public administration between 1966 and 1979.
3. Explain the reasons for the emergence of a powerful civil service between 1966 and 1975 in Nigeria.
4. Why was the purge of the civil service necessary? Can it be justified?
5. Enumerate and discuss the adequacy of the changes in Nigeria's public administration in the defunct 1979 Constitution.
LECTURE FIVE

Public Administration in Nigeria during the Second Republic 1979 - 1983

Introduction
Our concern in this lecture is a review of the significant developments in Nigeria's public administration during the Second Republic, that is the period between October 1, 1979 when the Obasanjo regime handed over power to the deposed President Shehu Shagari thus ushering in the civilian administration after over thirteen years of military rule which commenced on January 15, 1966 up to December 31, 1983, when the military struck, thus terminating the civilian rule barely three months after the first term which ended in September, 1983.

Essentially, we aim at highlighting the various developments in the institutional and procedural aspects in Nigerian administration especially the changes that came with the defunct 1979 Constitution and within the available resources discuss the operation of Nigeria's administration during the period.

Objective
This lecture highlights the disparity that often occurs in the theory and practice of public administration. In particular, focus will be on the Second Republic of Nigeria.

Pre-Test
1. What do you understand by public administration?
2. What are the elements of public administration?
3. What type of political system was in place during the First Republic?
4. What changes did you expect in Nigerian public administration before the military handed over power?

5. What changes were brought about by the military before handing over power?

6. What were the problems in Nigeria's public administration before the Second Republic?

CONTENT

The defunct 1979 Constitution of the Federal Republic of Nigeria brought about a new dispensation in Nigeria's public administration as it provided for a presidential system of government with its corollary - separation of powers - as against the parliamentary system of government that was in place during the First Republic. The merit of the changes is outside our consideration here. However, one can posit that, the change might not after all be necessary or/sufficient to ensure political stability under a civilian regime. After all, the politics of the Second Republic was not less abnormal in terms of its political contestation, confrontations, inter-and intra-party bickering, lack of toleration, inability to keep to the rule of the game when compared to the First.

Under the new dispensation, it was commonly believed that the country's public administration machinery, especially its civil service would be faced with greater challenges quite out of proportion to what the existing framework could cope with.

This expectation and the development in Nigeria, public administration towards the dying days of the military, as already discussed, makes one doubt the adequacy of the country's public administration network especially the civil service for the requirements of the Second Republic.

This is more serious if one takes cognisance of the quality, character and morale of the civil service shortly before the handing over of power to the politicians of the Second Republic. As already noted, the purge of 1975 sent out competent, efficient and committed civil servants for several reasons involuntary retirement, sacking, voluntary retirement to the private sector for lack of secured tenure (in the public sector) among others. Those that remained partly for want or lack of alternatives were highly demoralized.
The civil service that was the fulcrum of the Second Republic's public administration was therefore grossly inadequate, incompetent and demoralized. Apart from the institution of corrective institutions of mechanisms for public accountability Public Complaint Commission, Corrupt Practices Tribunal and Code of Conduct Bureau - the system was the British oriented civil service as was disoriented by the military except for some other institutional changes to be discussed below.

Although, there were no serious transformations in the country's public administration, it is important to note some of the provisions in the 1979 Constitution that had implication for the country's public administration. Some salient ones are discussed below:

1. **Presidentialism:** The Constitution provided for a presidential system of government. This however applied only to the federal and state levels as presidentialism was not extended to the local government level. The President and Governor were Chief Executive at federal and state levels respectively. The legislature at the federal level-National Assembly consisting of House of Representatives and Senate - was bicameral while that of the State House of Assembly - was unicameral. The arrangement at the local government level as discussed below and elsewhere in this course material;

2. **Local Government:** For the first time since independence, a system of local government was entrenched in the constitution, thus, local governments were given constitutional recognition as the 'third tier of government. The defunct constitution of 1979 in its S. 7(1) provided that:

   The system of local government by democratically elected local government councils is under this Constitution guaranteed; and accordingly, the Government of every state shall ensure their existence under a Law which provides for the establishment, structure, composition, finance and functions of such councils.

The above among other sub-sections especially sub-section (2) was said to have rendered population as the criterion for the creation of local governments under the 1976 reforms.
3. Federal Character Principle: In line with one of the conclusions enunciated in the Address by General Murtala Mohammed at the opening session of the Constitution Drafting Committee (See, Report of Constitution Drafting Committee, (1976 Vol. 1 PX1) in 1975 that we require among others

ii. An Executive Presidential system of Government in which:

a. the President and Vice-President are elected, with clearly defined powers and are accountable to the people. We feel that there should be legal provisions to ensure that they are brought into office in such a manner so as to reflect the Federal Character of the country; and

b. the choice of members of the Cabinet should also be such as would reflect the Federal Character of the country, as against constitutional provision which was based before then on political expediency. This is an entrenchment of the quota system.

The S.14(3) and 14(4) entrenched federal and state character principles.

The S.14(3) states that:

‘The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups is that government or in any of its agencies.’
Similarly, S 14(4) which provides for what could be called 'State character' provides that:

the composition of the Government of a State, a local
government council, or any of the agencies of such
government or council, and the conduct of the affairs
of the government or councilor such agencies shall
be carried out in such manner as to recognise the
diversity of the people within its areas of authority
and the need to promote a sense of belonging and
loyalty among all the peoples of the Federation.'

The S.277 proffers a definition on the rationale for the federal character principle. Its states that:

"federal character of Nigeria refers to the distinctive desire of the peoples of Nigeria to promote national unity foster national loyalty and give every citizen of Nigeria a sense of belonging to the nation as expressed in section 14(3) and (4) of this Constitution."

From the above therefore, the basic aims of federal character were the promotion of national unity, national loyalty and to give Nigerians a sense of belonging.

Superficially, the rationale seems contradictory for example, given the logic of federal character, it seems incapable of promoting national unity and loyalty at the same time. Also the extent to which it can give every citizen a sense of belonging is also questionable.

It is also arguable that the principle conflicts with section 39 'Right to freedom of discrimination' in the 1979 Constitution. Since, we are not evaluating the principle here, it suffice to say that the extent to which the principle can attain its objective depends on how the principle is effected. There is however no doubt as to the desirability of the principle for political, economic and social reasons. The principle which is similar to the 'Affirmative Action' in the United State of America might be dysfunctional if not properly managed.

The federal character principle informed the composition of some institutions and bodies during the Second Republic. For example, section 135(3) which relates to the 'Minister of Federal Government' stated that any appointment to the office of Minister of the Government of the Federation "shall be in conformity with the provisions of section 14(3)..."
Also, the membership of the following Federal Executive Bodies- Council of State, Federal Electoral Commission, National Economic Council, and National Population Commission-established by section 140 of the constitution was partly informed by the principle as the membership was to include one member/person from each State.

4. *The Public Service of the Federation:* The SSS.157 vested the power to appoint the following persons to hold or act in the following offices and to remove persons so appointed by the President. These offices included:

a. Secretary to the Government of the Federation,

b. Head of Civil Service of the Federation,

c. Ambassador, High Commissioner or other principal representatives of Nigeria abroad, and

d. Permanent Secretary or other Chief Executive in any Ministry or department of Government of the Federation whosoever designated...

The Constitution while providing that appointment to the Office of Head of the Civil Service of the Federation "shall not be made except from among members of the civil service of the Federation or of a State" and that appointment into offices (c) above "shall not have effect unless the appointment is confirmed by the Senate". The constitution was silent on how the Secretary to the Government was to be appointed. So, no qualification was specified. The implication of this is that the Secretary to the Government can come from within or outside the civil service.

The Constitution also remained silent on their functions and the relationship between the two offices -- whether they are equal, complementary, whether one is subordinate to the other. This was and in actual fact, a source of conflict in their functioning. As a matter of fact, the position of Head of service, career post seemed to be outside the scheme of things. For example, the deposed President Shagari of the Second Republic, October 22, 1979 while swearing in the Permanent Secretaries stated that,

'permanent Secretaries would as before remain the accounting officers of their ministries. The Secretary to the government would be the accounting officer to the office of the President.'
Where did the Head of service appointed on merit (in most cases) stand in this arrangement? Even if one assumes that the Head of Civil Service was responsible for staff matters and welfare, the question still remains as to how he related to the government and the Secretary. Was he to relate to the President "through the Secretary?.

Whatever problems are detectable, the most significant development is the distinction between the office of the Secretary to the Government and that of the Head of the Civil Service. Before, the two officers were combined.

5. Code of Conduct for Public Officers: The 1979 Constitution provided for a 'Code of Conduct' to which a person in the public service must observe and conform. Also, the code of 'Conduct Bureau' and a 'Code of Conduct Tribunal' were also provided to regulate the public behaviour of public officers and so check abuses in the exercise of state power on the part of public officers.

The above provisions in section 159, 189 and Fifth Schedule of the Constitution was sequel to the provision ably argued by the Constitution Drafting Committee (CDC), that our recent experience has spotlighted the extent to which corruption and abuse of office has eaten deeply into the fabric of the public service of this country. We are all convinced that if a recurrence of that experience were to be made in the constitution to ensure that the people who are entrusted with public authority do not abuse their trust and enrich themselves or defraud the nation.

Thus, the Bureau and Tribunal were part of the corrective institution recommended as a categorical imperative to CDC by the Supreme Military Council as contain in the Head of State's Speech at the inauguration of the CDC in October 1975.

Essentially, the 'Code of Conduct for Public Officers' prohibits a public officer from putting 'himself in a position where his personal interest conflicts with his duties and responsibilities. The code of conduct Bureau is charged with the responsibilities of receiving, retaining and examining the declaration of assets made by public officers. It also received complaints about 'non-compliance with or breach of (the) Code' and.....to refer such complaints unless the person concerned makes a written admission of such breach or non-compliance, to the Code of Conduct Tribunal. If the Tribunal finds a public officer guilty, it can
impose punishment which shall include any of the following:

a. vacation of office or sent in any legislative house as the case may be,

b. disqualification from membership of a legislative and from the holding of public office for a period not exceeding 10 years and

c. seizure and forfeiture to the State of any property acquired in the abuse or corruption of office.\(^8\) and "other such punishment as may be prescribed by the National Assembly."\(^9\).

6. Allocation of government 'powers' or/and 'functions': As Dudley noted, there was a radical departure in the allocation of 'powers' or/and 'functions' between the federal and state governments. To him,\(^10\)

\[\text{'whereas in the first republic, the respective powers of the federal and state governments were listed in separate schedules to the Constitution, and areas of joints/jurisdiction enumerated in a concurrent list in the second republic however, 'only a 'Concurrent List' and an "Exclusive Federal List" are shown.'}\]

As he noted the presumption was 'that any power not included in either the Exclusive Federal List or the Concurrent List is thereby reserved to the state government'

**Public Administration in Practice**

Despite the attempts (though not without inadequacies) by the military to remove some of the teething constitutional and institutional problems that frustrated the evolution of responsible administration and politics in Nigeria, the Second Republic had a little or nothing to show for this efforts. As a matter of fact, the bankruptcy, atrocities and recklessness of the politicians, government and indeed public administration institutions - the civil service, public enterprises, parastatals, local government among others - of the Second Republic have been well documented.\(^11\) Their operation, it is conclusive had failed to bring about the much desired social, economic and political development. They were also very corrupt, indiscipline, inefficient and ineffective while gross mismanagement which almost brought about the collapse of Nigerian State was the order of the
day. This did not however douse the problem in public administration that were brought about by some of the inherent inadequacies contradictions and ambiguities in the constitution.

The quality of the administration has been attributed to the character of the politicians of the Second Republic, To the Political Bureau:\textsuperscript{12}

\begin{quote}
‘as the military departed in 1979, no political leadership capable of galvanizing, inspiring, motivating and mobilizing the entire populace of development and committed to social justice and equality for all Nigerians..... emerged.’
\end{quote}

Instead, the Bureau noted:

\begin{quote}
‘what we had.....was largely a resurrection of the Old Leadership, schooled in the politics of intrigues, insincerity, deceit and the manipulation of ethnic and regional sentiments to sustain themselves in power.’
\end{quote}

During the Second Republic therefore, as before,\textsuperscript{13}

\begin{quote}
‘gross corruption, open looting of government or public revenues by those entrusted with appropriate responsibility to use such funds for defined public good, and gross and deliberate mismanagement of the political economy by the power and bureaucratic elites....’
\end{quote}

Although, details of the various aspects of public administration during the Second Republic are discussed under the various themes in other lectures. It is not out of place to make some general observations in respect of some aspects of public administration during the Second Republic.

1. The civil service that was in place was grossly inadequate in terms of competence and morale. The adequacy of the British oriented civil service that serviced the second republican presidential system of government was suspect. As a matter of fact the collapse of the Second Republic has been partly explained by the type of the civil service.
2. The management and performance of parastatals, public enterprises and special executive agencies were as usual appalling. Apart from their internal management problems, their ineffectiveness and their non-profitability as they were regarded as a drain on public funds, privatization of some of them had already been decided by the Shagari regime. In fact, the Adamu Ciroma Transition Committee set up by the Shehu Shagari administration had in its Report which was to serve as the Economic Blue Print for the administration's second term specifically recommended a privatization policy. This was reflected in the 1984 Budget Speech by ex-President Shagari on December 27, 1983 before he was overthrown.

3. To assert the existence of 'local government' during the Second Republic is a misnormal. The 'local governments' that were in place did not conform to the provisions in the constitution. Instead of the existence of the 'democratically elected local government', management/caretaker committees were in place. Also, there was reckless proliferation of local government by the state governments in ways that rendered to a null the population criterion in the 1976 Guidelines. The functions of local governments were either whittled down or taken away by the state governments while statutory allocations due to them were either withheld or illegally deducted from the state government which was the intermediary for disbursement from the Federation Account.

4. The federal character principle which was designed to ensure an orderly and equitable recruitment… in the federal public services to ensure fairness to all, was problematic during the Second Republic.

   There were allegations of misapplication of the principle or doctrine in ways that destroyed the merit system, lowered morale while efficiency and effectiveness of the services were impaired. The doctrine was used to push out the so called dominant groups from the service while several devices were used to push in some others. In fact, no sooner had the Second Republic came into being that some sections or ethnic groups were accused of dominating the Federal Civil Service. Five states were said to have 65 percent of the civil servants at the federal level.
5. The Code of Conduct Bureau and the Code of Conduct Tribunal did not function during the Second Republic\(^5\). The position of the civil service could be established by relying on the policy statements by the deposed President Shagari during the Second Republic.

When ex-President Shagari was addressing the first batch of ministers (twenty-two then) cleared by the Senate on October 24, 1979\(^6\), he said, Ministers must be decisive in policy making in their ministries' and that the ministers as Chief Executives must in the management of ministries give 'purposeful leadership'. To him, the constitution gives room for 'utilizing effectively the manpower and other resources available in the ministries.' He ended with a warning against confrontation between the career civil servants and political appointees.

Earlier, on October 22, 1979\(^7\), while swearing in the 23 permanent secretaries, he inherited from the military and 9 newly appointed ones, he opined that 'members of government and career civil servants are partners in progress. Those ministers were to be Chief Executive of ministries. He also indicated that, 'guidelines on administrative procedures were to be reviewed to reflect his position in order to remove personal conflict between ministers and civil servants'.

He also enumerated his expectations from the civil service, especially the Permanent Secretaries as - 'A sense of purpose', 'creativity', 'good and decent company' and 'responsible leadership by example'. Others were, 'dedication to duty' and 'loyalty to the government and the nation'.

The above position of Minister - Executive relations cleared the ambiguity in the 1979 Constitutions as to the relationship between the ministers and Permanent Secretaries.

For example, the 1979 Constitution referred to 'executive responsibilities of Ministers', while at the same time the permanent secretary was described as the 'Chief Executive of a ministry'. It was silent on the actual role in policy formulation. This to Adamolekun became a matter for the President's discretion\(^8\).

It is also important to add that, although the input of S. 157( d) of the 1979 Constitution was that, a permanent secretary was to be a presidential appointee and that, his tenure automatically became conterminous with that of the president\(^9\), ex-President Shagari retained all the Permanent Secretaries he inherited from the preceding military administration, the
States followed suit

6. Development of the Civil Services: During the Second Republic, there were increases in the number of ministries and Permanent Secretaries. At an accord meeting between the National Party of Nigeria (NPN) and the Nigeria Peoples Party (NPP) and to some extent, the Peoples Redemption Party (PRP), all defunct, on 22nd, August 1979, it was agreed that the number of executive ministries be increased by the President from 19 to 25 partly to 'make it go round'. This automatically brought about an increase in number of Permanent Secretaries.

Apart from permanent secretaries in each of the ministries, there were, some in charge of the Political Department, Special Services, Council Secretariat, Police Affairs and Economic Department in the Cabinet Office at the federal level. Also, there were four in the office of the Head of Service of the Federation each taking charge of Establishment, Public Service, Service Welfare and Manpower Development Departments.

At the state level, the increase in number of ministries and Permanent Secretaries were not as serious. As at 1981, the number of ministries varied from between nine in Kano State to 18 in Rivers State. There was, however, an emerging pattern. The situation in Oyo State is illustrative. In the states, permanent secretaries were attached to extra-ministerial departments including local governments. As a matter of fact, six local governments in the state had permanent secretaries as their secretaries while the Central Schools Board and Ajoda New Town Development Corporation among others had their own.

7. Inter-governmental Relations: Given the electoral contest that came with the Presidential election in 1979 and inter-party bickering which potentially and indeed culminated into confrontation among the parties, the stage was set for inter-governmental relations that followed political party line. The relationship in some political institutions followed political lines. For example, the National Assembly that was to be a collective check on the executive and should not be polarized along party lines for effectiveness operated along 'government' and 'opposition' lines, a contradiction of the nature of legislature expected under a
presidential system.

So, during the Second Republic, when the NPN and NPP accord was in force, there was a cordial relationship between the NPN controlled federal government and NPN and NPP states. The relationship changed when the accord collapsed. The so-called meeting of the 'progressives' which almost culminated into the Progressive Parties Alliance (PPA) before the collapse of the Second Republic was later to be joined by the states under the control of NPP. The group which composed largely of the states under the control of Unity Party of Nigeria (UPN), People Redemption Party (PRP) and the Great Nigeria Peoples Party (GNPP) had little or nothing to do with the centre. The Presidential Liaison Officers (PLO) that were appointed by the President to facilitate inter-governmental relations in the states only got cooperation on a consistent basis from the UPN states. One should note that, apart from politics, the suspicion that the office was partly a strategy by the NPN controlled federal government to undermine non-NPN controlled state governments partly explains the relationship.

Summary

1. The Second Republic brought some changes in Nigeria's public administration by the adoption of the presidential system and the restoration of democracy.
2. Some of the innovations included the introduction of presidentialism, entrenchment and provision for local government, entrenching federal character principles in the constitution and code of conduct for public officers among others.
3. The innovations in Nigeria's political system could not have the expected impact on her public administration because of certain inherent constitutional ambiguities. More important was the inability of the actors to play according to the rule of the game. This is reflected in the character of inter-government relations, the practice of federal character, irresponsiveness and lack of accountability by political actors.
Things to do

a. Find out about the problems in the operation of the Second Republic that negatively affected the country's public administration.

b. Read more on the Second Republic and her public administration in B. J. Dudley (1981) and Ladipo Adamolelrun. *The Fall...*

Post-Test

1. Enumerate the innovations in Nigeria's Second Republic that affected her public administration?

2. Assess the country's public administration during the Second Republic.

3. What problems confronted the country's public administration during the Second Republic?

4. Is it true that the Second Republic collapsed because of bad public administration?

References

1. See, the List of public officers for the purposes of the code of conduct in the fifth Schedule of the 1979 Construction, part 11.


6. See, ibid., Par. 15(2) for its functions and composition respectively.

7. ibid; par. 15(I)(d)

8. ibid; par. 20(2)

9. ibid; par. 20(1).


13. Report, op. cit.; p. 42, par. 3.030
20. The implication of this is that the position of permanent secretary was no longer permanent. So, the non-permanency of the office came even before the 1988 reforms. The only difference is that the office remained in charge. It should also be noted that the Constitution was silent on whether or not a permanent secretary could revert as a career officer if dropped.'
LECTURE SIX

Public Administration under the Military II

Introduction
In this lecture, we are going to discuss the developments in Nigeria's public administration under the post-Second Republic military regimes. These are the Major General regimes of Muhammadu Buhari from January 1984 to August 27 when it was succeeded by the General Babangida administration.

We will focus on the major developments in Nigeria's public administration under the military from 1964 to 1992 since most of the developments have been discussed in great details elsewhere in this course, we shall only summarize the various changes.

Objective
This lecture brings into focus the difference in the attitude of different military regimes and the impact of such on public administration. Thus, the aim is to specify the military regime we have in mind when discussing public administration under the military.

Pre-Test
Attempt to answer the questions below as a prelude to what you are going to read in this lecture.

1. What were the major changes in Nigeria's public administration under the post-First Republic military administration?
2. What were the changes in Nigeria's public administration during the Second republic?
3. Identify the defects in the public administration outfit up to the collapse of the Second Republic?
4. What changes will you propose in Nigeria's public administration in the light of the problem?

CONTENT

1. Background

The various developments during the Second Republic brought into fore the need for constitutional, institutional and attitudinal changes in all phase of the nation's life including its public administration. The fact that the army struck once again on 31st December, 1983 is a confirmation of the abnormal political, economic and administrative settings between October 1, 1979 and 1983. The jubilation that greeted the Buhari regime by the majority of citizens is a further confirmation of the bankruptcy of the civilian regime and their positive expectations: arrest of the steep deterioration in their standard of living in the new regime.

2. The Buhari Regime

The well known problems of the Second Republic have been aptly captured by the leadership of the December 31st coup. Brigadier S. Abacha, while announcing the coup addressed the nation thus:

‘you are all living witnesses to the grave economic predicament and uncertainty which an inept and corrupt leadership has imposed on our beloved nation for the past four years. Our economy has been hopelessly mismanaged. We have become a debtor and beggar nation. There is inadequate food at reasonable prices for our people who are now fed up with endless announcement of importation of foodstuffs. Health services are in shambles as our hospitals are reduced to mere consulting clinics, without drugs, water and equipment. Our educational system is deteriorating at an alarming rate. Unemployment figures, including the graduates, have reached embarrassing and an unacceptable proportion...yet our leaders revel in squandermania, corruption and indiscipline they continue to proliferate public appointments in complete disregard to our stark economic realities....’
In the ‘Maiden Speech’ of the Head of State, Major General Muhamadu Buhari, there emerged an aspect of his speech which is instructive to our discussion here he expressed the view that:

‘... little did the military realize that the political leadership of the Second Republic will circumvent most of the checks and balances in the constitution and bring us to the present state of general insecurity... While corruption and indiscipline have been associated with our state of underdevelopment, these two evils in our body of politics have attained unprecedented heights in the past four years. The corrupt, inept and incentive leadership in the four years has been the source of immorality and impropriety in our society... we have dutifully intervened to save this nation from imminent collapse...’

Elsewhere, he committed his administration to maintaining national unity and stability, and to giving the nation a better and more purposeful sense of direction, cleaning the society of the cankerworm of pervasive corruption; maintaining law and order and ensuring the security of life and property among others.

From the above, it is clear that public administration of the Second Republic was a failure. So, the regime had to undertake a house cleaning exercise. The critical issues that the regime addressed were corruption, indiscipline and debt burden cum foreign exchange problem. The regime did not have any commitment to handing over power to civilians.

Prominent among the programmes instituted by the regime was the War Against Indiscipline (WAI) launched in March 1984. The primary aim of the Programme was,

‘to instill in the minds of people, the noble ideals of national consciousness, mobilize their minds and gear them up to a sense of nationhood, patriotism and, above all, discipline.’

Public accountability was another issue which the regime addressed. The regime undertook a probe of public offices at all levels of government. The Recovery of Public Property (Special Military Tribunals)
Decree No.2 1984 provided the legal basis. The determination of the regime was evident in the severe punishment meted out to public officials found guilty and the lack of provisions for appeal. More importantly, The Federal Military Government (Supremacy and Enforcement of Power) Decree No. 13 of 1984 conferred supremacy on the Military Government as the exercise of its power was inchallengeable in law courts. Major General Buhari commenting on the draconian provisions in the Decree offered a rationale when he said:

‘our..., society of the early 80s was clearly on the road to unmitigated disaster, through such brazen corruption as would be hard to be found anywhere, at any time. Given the utter failure of exhortations and mild punishment in the past, we concluded that the scale of the problem called for extraordinary punishment (emphasis mine).’

Apart from the above, details of which we cannot discuss here, the regime also set up many panels and study groups to address specific areas in Nigeria's public administration. Some of these included Public Corporation, Civil Service and Local Government among others.

The regime did not go far in effecting its programme. It could not also take action on the reports of the Study Groups as the regime was overthrown by the Coup that brought in the Babangida regime on August 27, 1985. More detailed assessment of the regime (Buhari) is undertaken in our discussion below.

3. The Babangida Regime

The "Maiden Address" to the nation on assumption of office on 27th August 1995, by Major General Babangida who later turned Military President offered the justification for the overthrow of the Government of Major General Buhari (rtd).

We may need to quote profusely relevant aspects of the speech in order to understand the reasons for direction and expectations from the change.

President Babangida brought into the fore the dashed expectations from the Buhari regime by a systematic rehashing of the reasons for the overthrow of Shagari's regime and an assessment of the Buhari regime. He
started by the reasons for the Buhari regime. According to him:\(^6\):

‘when in December 1983, the former Military leadership, headed by Major General Muhammadu Buhari, assumed the reins of government, its ascension was heralded in the history of this country. With the nation then at the mercy of political misdirection and on the brink of economic collapse, a new sense of hope was created in the minds of every Nigerian, since January 1984, however, we have witnessed a systematic denigration of that hope. It was stated then that mismanagement of the economy, lack of public accountability, insensitivity of the political leadership and a general deterioration in the standard of living which had subjected the common man to intolerable suffering - were the reasons for intervention.’

On the social and economic realms, he observed that, contrary to expectations, we have so far been subjected to a steady deterioration in the general standard of living; and intolerable suffering by the ordinary Nigerian have risen higher, scarcity of commodities has increased, hospitals still remain mere consulting clinics, while educational institutions are on the brink of decay. Unemployment has stretched to critical dimension. (Emphasis supplied).

Contrary to a reversal of the above, he concluded that:

‘Nigerians have since then been under a regime that continued with those trends events…indication that most of the reasons which justified the military take over of government from the civilians still persist.’

and that the “initial objectives were betrayed and fundamental changes do not appear on the horizon. To him, the above, the prevailing ‘state of uncertainty, suppression and stagnation, that characterized the regime were perpetrated by, a small group’ and that, the Nigerian Armed Forces could not as a part of that Government be unfairly committed to take responsibility for failure. So the ‘need to arrest the situation’ come as a result of the Nigerian Armed Forced dedication to, the causes of ensuring’
that Nigeria 'remains a united entity worthy of respect and capable of functioning as a viable and credible part of the international community...
' The premise upon which it became necessary to change the leadership' according to the President Babangida was that:

‘the principles of discussions, consultation and cooperation which should have guided the decision-making process of the Supreme Military Council and the Federal Executive Council were disregarded soon after the government settled down in 1984. Where some of us thought it appropriate to give a little more time, anticipating a conducive atmosphere that would develop in which affairs of state could be attended to with greater sense of responsibility, it became increasingly clear that such expectations could not fulfilled.’

He accused Major General Buhari of being "too rigid and uncompromising in his attitudes to issues of national significance." He was also unyielding to attempts at making him understand to appreciate such.

The second in command, Major General Tunde Idiagbon (rtd) the Chief of Staff, Supreme Headquarters, who to most Nigerians was in control, was accused in the same vein. He was said to have 'failed to exhibit the appropriate disposition demanded by this position' and that

‘he arrogated to himself absolute knowledge of problems and solutions, and acted in accordance with what was convenient to him, using the machinery of government as his tool.'

on the whole, the characteristics of two major actors "holding the nations vital offices became impossible to contend with'. The consequence of 'all the above characterization of the major actors and their performance was that 'the... government which received a tumultous welcome... became alienated from the people! So the Babangida coup was to 'prevent a complete erosion' of what he called 'our Mandate' (Military's) and to rebuild.
The Babangida administration will go down in history as the regime that has not undertaken institutional and structural reforms in Nigeria's public administration. Some of the changes have had tremendous impact on all facets of the nation's life and the country's inter-governmental relationship. Some of the changes aimed at bringing about a new state of affairs have also led to new problems which require solutions.

Most of the changes under the administration are traceable to the:

i. problems in the country's public administration especially its institutions;
ii. country's underdevelopment and her economic problems;
iii. regimes inheriting some panels or reports of panels set up by the preceding regime to take a critical look at the various aspects of the nation's the and recommend solutions; and
iv. the regime's commitments or determination 'to create... support for lasting solutions to the country's social, political and economic problems. To the regime, this generation and indeed future generations 'have no other country but Nigeria'. There is therefore the need to 'stay and salvage it together' with 'genuine sincerity.'

Our concern in the remaining part of this section is a review of the various changes with particular reference to Nigeria's public administration. The initial actions included:

i. the review of the issue of political detainees or convicts of special military tribunals. Unlike the situation under the Buhari regime, the regime set up two Review Panels-Uwaifo and Aguda;
ii. release of 87 public office holders and a good number of Nigerians and foreigners whose detention were controversial and long overdue but were not released for 'political' and 'other' considerations;
iii. commitment to the respect of human rights and 'the principles of consensus and open administration;
iv. The disbandment of the Nigerian Security Organization (NSO) which to President Babangida in his maiden speech was one of the government functionaries and organizations that would be overhauled and reorganized because of their dysfunctional role in the political system;
v. The highest decision making body was recomposed and renamed the Armed Forces Ruling Council as against the Supreme Military Council while the Head of State became President and Chairman of the body;

vi. Review of all Decrees and abrogation of some. For example, in his post coup broadcast on August 27 1985, in order to allay the fear of individuals expressing themselves, the Public Officers Protection Against False Accusation Decree No.4 of 1984 was repealed. The Recovery of Public Property (Special Military Tribunals) Decree 1984, Exchange Control (Anti-Sabotage/Counterfeit Currency (Special Provisions) Decree were also amended in the latter, among others death penalty was abolished; and

vii. On the economy, the regime did not subscribe to 'austerity without structural adjustment' and the commitment of the trend under the Buhari regime whereby 44 per cent of national review earning is utilized to service debts. The regime, in order to protect the danger the economy posed to 'the poor and the needy, opted for a 'comprehensive strategy of economic reforms.' One of the crucial economic issues is the International Monetary Fund (IMF) negotiation which was stalemated since two years (1983) before the regime. The regime was committed to breaking the deadlock that frustrated negotiation and to reach mutual agreement with the Fund. In doing this, it employed public debate as a strategy to consensus. So, in 1985 Nigerians debated and rejected the loan and its conditions. However, the regime later imposed the conditions of the loan. Since 1985, Independence Day Broadcast and the promulgation of the National Economic Emergency Decree that conferred sweeping discretionary power on the President to take measures to improve the economy over a period of fifteen months; the country has been under the IMP conditions-devaluation, cut in public expenditure, privatisation, commercialisation and lately deregulation of salaries and wages-and the attendant, mostly negative consequence on the generality of Nigerians.

In 1986, in an attempt at developing the rural areas, a special federal agency the Directorate for Food, Roads and Rural Infrastructure (DFRRI)-was established with a broad mandate that covers anything imaginable in rural and non-rural development
Within the 6½ years of its existence; DFRRRI is said to have achieved 'Miles of Performance, inches of Evidence'.

viii. On the Political front, the Babangida regime seemed to have brought a lot of changes in an attempt at not only ensuring superstructural but substructural changes in Nigeria's body politics. The regime as evident in the maiden speech by the Military President committed the regime to finding lasting solutions to the country's political problems among others. On January 13, 1986 in line with its earlier strategy of 'Government by consultation with the peoples', the President inaugurated the Political Bureau as promised in its 1986 Budget Speech. The setting up of the Bureau marked the beginning of 'the national debate on a viable future, political ethos and structure' for Nigeria. To the President, the Bureau was not simply an agency to serve the national political debate. To him:

"in addition to guiding monitoring, analyzing and documenting the national political and debate, the Bureau will provide an objective and in-depth critique of our past political experience in order to serve as background information for the debate."

He further stated that the Bureau will also,

"produce the blueprint of a new political model (or models) for the consideration of the Administration. It shall be its responsibility to eventually place options before this Administration as well as work out a realistic implementation programme for the agreed model."

All the above, to the regime was to make for the attainment of what the regime considers its 'primary political objective which is 'to bequeath to posterity a new political order that can endure stresses as well as contain the competitive demands in our national life.

The eventual document, Report of the Political Bureau (March 1987) made recommendation on all aspects of the national life and was reference material for the Constitution Review Committee and the Constituent
Assembly that were later set up, bodies whose activities led to the emergence of the 1989 Constitution.

The document as accepted by the government also served as a guide to the Federal Government in its transition programme.

During the transition period, some other institutions were set up to facilitate the emergence of a new social, political and economic order. These include the "Mass Mobilization for Social Justice, Self-Reliance and Economic Recovery", (MAMSER)-and the Center for Democratic Studies (CDS) in Gwari, Abuja. MAMSER was established in July, 25, 1987. It was in fulfillment of the realization by the Political Bureau that "the behaviour of Nigerians in the political process has been largely negative" and the need to tackle this through social mobilization towards political consciousness among others to "inculcate in the citizens the need to eschew all... vices" bedeviling Nigeria's body politic. On the other hand, the CDS was to inculcate the values of a "new democratic order" on the "new breed" politicians. It was specially charged to "seek out and identify sources of anti-democratic attitudes, beliefs and behaviour in Nigerians and devise measures to correct them" through the nations' educational, bureaucratic and political institutions".

4. Specific changes and Developments in Nigeria's Public Administration under the Babangida Regime

Certain changes, some of which we had already discussed in details took place in Nigeria's public administration under the Babangida administration.

We summarize some of them especially the more recent ones.

i. Inter-Governmental Relations

In the dying days of the regime and more importantly under the transition programme, there was a seeming reversal of the centralizing tendency under the military federalism. Our discussion on the new status of local government in the area of autonomy and finance among others confirm this. In recent time there was the direction to pay local government statutory allocation direct through the Federal Pay Office:

Another important development is in the area of creation of states and local governments. While the regime inherited the 19 state structure, it created two and later nine additional ones in 1987 and 1991 respectively.
Leaving Nigeria with a Federation of 30 states. Also, the 301 local governments increased to 449 in 1991.

Also, in January 1992, the President in his *Budget Speech* deregulated salaries and wages. To him, the uniformity in salaries and wages at all levels of government would have to give way to employer-employee negotiation, in essence the ability to pay. Thus, as at now, disparities have set in remuneration of Federal, State and Local Government employees. There is also inter-state disparity. With this, the Unified Salary Grade Level that came with the Udoji Commission has ceased to apply. In order to stem the chaotic industrial situation that emerged from the above, the Federal Government on September 9, 1992 set up the National Wages Commission charged with examining and recommending salary structures relative to national economic indices and provide guidelines for wages and salaries review and erect structures for the maintenance of "congenital industrial relations in both the public and private sectors of the economy". Also the Federal Government set up the National Council on Inter-governmental Relations in August 1992 (See details in Appendix).

**ii. Revenue Allocation**

It is a fact which was well demonstrated in our discussion on revenue allocation that, the issue is one of the problems of the Nigerian society and that it was a subject being handled on all *ad hoc* basis.

However, by *Decree No. 49 of 1989* the Federal Government created a permanent National Revenue Mobilization, Allocation and Fiscal Commission. The Commission which consists of a Chairman and one member from each state is appointed by the President for a five year term. The duties and responsibilities of the Commission include:

a. systematic design and effective mobilization of all source of public sector revenues;

b. periodic review of the revenue allocation principles and formulae such that would minimize short-term political pressure; and

c. prescription and application of revenue allocation formulae after due approval by the Federal Government for the purpose of sharing the Federal Account between the Federal, State and Local Governments, among others.
Apart from revenue allocation or sharing, the Commission is also responsible for revenue mobilization and fiscal policy function. The latter are innovations in Nigeria's fiscal federalism.

Since we concluded our lectures on revenue allocation, some changes had taken place in revenue allocation formula. We will discuss the very recent ones. In January 1982, the Federal Government acting on the recommendation of the Commission changed the allocation formula by raising, Local Government share from 15% by a reduction in Federal share by 20% of the Federalism Account while the States' share was reduced by 5% from 30% to 25%. Earlier in 1991 the Federal Government had increased from Federation Account increased from 10% to 20%. The initial and subsequent increases were to enable the Local Governments adequately fund the responsibility, of primary education and primary health care hitherto the joint responsibilities of all levels of government.

In June 1992, another amendment was made with the new and current revenue allocation being:

a. Federal Government 48.5%
b. State Governments 24.0%
c. Local Governments 20.0%
d. Federal Capital Territory 1.0%
e. General Ecology. 2.0%
f. Stabilization 0.5%
g. Derivation (1 % of mineral revenue)
h. Development of Mining Producing Areas (3 % of mineral revenue).

The present formula is still a subject of controversy. Lower levels of government- state and local - are clamouring for a higher share and have argued that the present formulae distort Nigeria's federalism.

iii. Local Government

In January 1992, the Federal Government took another bold step in ensuring local government autonomy by abolishing the Local Government Service Commissions in the states. However, by June 1992, the Commissions were back for various reasons which included the real threats to the tenure of career local government officials, as evident in their treatment by political executives when the Commission was abolished, their vertical and horizontal
mobility among others.

In resuscitating the Commission, the Federal Government (Vice-President Augustus Aikhomu) did not give any guideline capable of guaranteeing the interest of interested parties. They are now being composed (as before) as an arm of their various states government. A more independent and impartial body outside the state bureaucracy should have been better.

An earlier development was the decision of the Federal Government in January 1991 to charge local government with the responsibility of funding and administration of primary education. The Decree 3 of 1991 that gave a legal backing to the decision superseded Decree 31 of 1988, which set up the Primary Education Commission and the Primary Education Fund. Before 1991, the federal, state and local governments were responsible for 65%, 20010 and 15% of the salaries of primary school staff to enable local governments perform the new role; allocation from Federation Account was increased from 10% to 15% while the state primary Education Management Board and Primary Education Management Boards were abolished. Instead of a Local Education Authority, a local government outfit was established in respect of each local government. This new role to local government is still being contested. Also, the adequacy of even 20% to fund local government responsibilities is also a subject of controversy.

iv. Census

One other important development under the administration is the conduct of a National Census in 1991. The result (released on March 19, 1992) contrary to the popular assumption of 120 million even at the international level put Nigeria's population 88.5 million. The results (see Appendix II) which are still provisional have been very controversial as they have been challenged by most states, many local governments, towns and communities. The figures are now being contested at the Tribunal set up for that purpose.
Summary

1. The Babangida administration has carried out a lot of reforms in Nigeria's public administration.
2. The various administrative changes should be understood within the philosophy and context of the transition programme.
3. The most recent changes and development were in the areas of the country's inter-government relations, local government, revenue allocation among others.

Things to do

Read the following documents and books to know more about Babangida regime and changes in Nigeria public administration:


c. Portrait of a New Nigeria: Selected Speeches of IBB with Foreword by Olatunji Olagunju (Lagos: Precision Press, no date)


Post-Test

1. Enumerate the changes to Nigeria's public administration under the Buhari and Babangida regimes.
2. Assess the relevance of two important developments in Nigeria's public administration under the Babangida regime?
3. What further changes have taken place since the period covered in this lecture?

APPENDIX

National Council on Inter-Governmental Relations (NCIR)

The President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, has approved the establishment of the National Council on Inter-Governmental Relations.
The National Council on Inter-Governmental Relations shall be a continuous neutral and technical body which relates to the executive, the legislative and judicial branches of Government at all levels of Government. It shall also be neutral to the political parties and to each level of Government Federal, State and Local

1. Objectives
The NCIR has the following objectives:
   i. closely monitor the operation of the federal system, giving continuing attention to inter-governmental relations in the Nigerian Federal system;
   ii. study, conduct research and maintain data;
   iii. recommend solutions to problems of inter-governmental relations and necessary forms of improvement;
   iv. play mediatory roles towards resolving conflicts; and
   v. establish contacts with other organizations with similar objectives.

2. Functions I
The Council shall carry out the following functions in the federal system:
   a. study areas of the federal system that have created, or are likely to create stresses;
   b. study ways of improving taxation and equitable distribution of resources and efficiency in the administration of the federation;
   c. enhance cooperation among the various tiers of government and laterally among different component units at each level of government;
   d. evaluate the functions and powers of the various levels of government in the light of changes in the federal system for purposes of adequate legislative and administrative actions at effecting necessary adjustments;
   e. provide warnings on the potential sources of conflict within and among the various levels of government;
   f. provide regular forum for the interaction of federal, state, and local government officials for the sharing of experiences and the search for solutions to common problems;
g. carry out such studies with respect to inter-governmental relations as may be referred to it by the President or the National Assembly;

h. liaise and be involved in the activities of institutions whose activities border on inter-governmental functions at Federal, State and Local Government levels;

i. make recommendations to the appropriate arms and tiers of government; and

j. publish such studies and recommendations for general information of members of the public.

*Source: The Guardian (Lagos) August 15, 1992, p.5*
LECTURE SEVEN

Local Government in Nigeria I

Introduction
The aim of this lecture and the next is to help you understand the definition, significance (or purposes), development, structure, powers, functions and problems among other important aspects of local government in Nigeria. More importantly is the need to understand the various recent changes in Nigeria's local government. Given the significance of traditional rulers to local administration, we shall include a discussion on the role of traditional rulers.

Objective
The aim of this lecture is to discuss in-depth, Local Government in Nigeria as an aspect of public administration. This will enhance our understanding of public administration in general.

Pre-Test
1. What is local government?
2. How is the local government different from local administration?
3. Is there anything like local government in Nigeria?
4. What are the powers and functions of local government in Nigeria?
5. Mention five of the problems of local government in Nigeria.

Our discussion in this lecture covers Nigeria's local government up to 1983 when the Second Republic collapsed.
In order to put our study in proper perspective, it is important to first of all advance a working definition for local government and establish how a local government is different from local administration.

Local government like most terms in the Social Sciences has no precise meaning as it is being defined or described in different ways by different authors. Almost all of these definitions depend on the background of authors. However, some of these definitions agreed on some salient characteristics of local government which enables us to understand its meaning.

We shall examine some of these. *The International Encyclopaedia of the Social Sciences* offers a definition of Local Government as:

> “a public organization authorized to decide and administer a limited range of public policies within a relatively small territory which is a sub-division of a regional or national government.”

The United Nations Office for Public Administration also defines Local Government as:

> “a political sub-division of a nation (or in a Federal system a state which is constituted by law, including the powers to impose taxes or to exact labour for prescribed purposes. The governing body of such an entity is elected or otherwise locally selected.”

From the two attempts above, it is evident that the local government:

1. is a level of government at the bottom of a pyramid of government in Federal States with national government at the top and intermediate Governments (states, regions, provinces) at the middle. In a unitary state it is the lower level after the central government; in this case, it is always referred to as local authority;

2. operates in a restricted geographical area within a country, usually such restricted area consists of people with common sound and political ties in most cases;
3. is set up by law to perform certain limited or specific functions and service. It is supposed to have substantial control or power of discretion in the areas so delineated;

4. can be made of elected or selected members. But ideally, it should be composed of elected members; and

5. possesses legal rights and institutions to regulate its affairs.

To be added to the above is the fact that local government may sometimes act as an agent of the central government in the performance of certain functions. Also it has a measure of autonomy within its area of jurisdiction.

In Nigeria, the Guideline to National Local Government Reforms of 1976 defined local government in Nigeria in a way that is not substantially different from the above. The document defines local government in Nigeria as:

“government at the local level exercised through representative council established by law to exercise specific powers within defined areas.”

and that

“these powers should give the council substantial control over local affairs as well as the staff and institutional and financial powers to initiate and direct the provision of services and to determine and implement projects so as to complement the activities of the state and Federal Governments in their areas.”

In distinguishing local government from central government (State or Federal), local government was described in the Guideline as bodies which are "created by and derived its powers from state governments (i.e. they are derivative and not sovereign) and that "they spring from the local communities of which they should be representative". Lastly, they are nearer to the citizens than the state governments, let alone the federal government.

For clarity, it is important to distinguish between local government and local administration as the two terms are sometimes used as synonyms, yet, they mean different things.

Local administration unlike local government lacks legal rights of existence or legal personality has no substantial autonomy and its existence is at the mercy of higher level(s) of government which
established it. Furthermore, it is subject to all sorts of external controls. Central or state government appoints and controls its finances and staff. In fact, it is an extension of the central government and exercises only delegated powers and not devolutionary powers. Alex Gboyega and O. Oyediran accurately define local administration as "the governing of local community essentially by means of local agents appointed and responsible to the states or central government".

Our definition of local government above refers to the ideal. It does not mean that the mere reference to local administration in institution or unit at the grassroots as local government actually confers local government status on such. In reality, such might lack the characteristics of local government. Also, it does not mean that all local governments possess all of the above characteristics.”

Aims, Objectives and Justification for Local Government in Nigeria

In Nigeria, it had been realized long before independence that local government could serve as the basis for development and effective public administration. For example, in a restatement of an aspect of these views on local government in Nigeria, Chief Obafemi Awolowo expressed the view that:

“local governments serve the dual purpose of being the foundation on which the State and Federal Government rest, and the agencies through which the state governments, and occasionally the federal government as well. Touch the lives of the people most intimately. Elsewhere, he regarded local government as; the most efficient agency by means of which government ministers to the basic needs, welfare and general well being of the citizens.”

Also the public Service Review Commission (popularly referred to as Udoji Commission) noted in its Main Report (I 974) that, Local Governments in Nigeria:

“have long been recognized as transcending the realm of being primarily a law and other agency, to one engaged in local economic development, and that, the objective of local government in Nigeria can be defined: as comprising, bringing government
The above seems to have been systematically proposed by the Guidelines to the 1976 Reforms. According to the Guideline, the principal aims or objectives or what might be referred to as justifications for local government in Nigeria are:

a. to make appropriate services and development activities responsive to local wishes and initiatives by development or delegating them to local representative bodies.

b. to facilitate the exercise of democratic self government close to the local levels.

c. to mobilize human and material resources through the involvement or members of the public in their local development, and,

d. to provide a two-way channel of communication between local communities and government (both State and Federal).

The above aims as justifications or objectives of local government in Nigeria are similar to those obtained elsewhere in the world especially in federal and democratic states. These aims remain largely the bases for local government in Nigeria to date.

**Development of Local Government in Nigeria before 1976 Reforms**

Local governments in Nigeria, developed within the framework of the country's political and constitutional history. Before the period, after 1956 when modern local government emerged in the defunct Eastern and Western Nigeria, there was a system of native administration in each of the various parts of the country. The system of native administration was modified or modernized and expanded to other parts of the country. It formed the bedrock upon which 'Indirect Rule' was established. The native administration rested mainly on the traditional institutions - Obas, Chiefs of Emirs as the case may be. He was also assisted by his chiefs that constitute what could be termed the Council of Elders, a Judiciary that is a Native Court system and a Native Treasury. Under this system, each of the provinces to which’ Nigeria was divided was headed by a Resident who
was charged with the co-ordination of the area on behalf of the British administration.

The system was to a large extent considered undemocratic as native administration were not made of elected membership and were under the firm control of traditional rulers who were autocratic. In this sense, the system was in no way representative of the people. In the Eastern and Western Provinces of Nigeria, the system was considered retrogressive (backward and incompatible with the ultimate goal of self-government).

In the East, the Local Government Ordinance of 1950 brought about the democratization or widening in the representative character of native administration as most (about eighty per cent) of the Councillors were to be elected. This was unlike the former situation under the Native Authority system where the Chiefs and elders were appointed by the Government. Similar changes took place in the Western part of the country with the enactment of Local government Law of 1952. With this law, local government councils were to be made of at least three-quarters elected members while the remaining were nominated members. Both in the East and West, there was a three tier local government system. In the East, the local government system comprised of the County, District and Local Council, while in the West there was a three-tier system namely, divisional, District and Local. The reforms in the East and West were a radical break from the past and they represented the break between "native administration" and local government or "traditional' and "modern' local government. They were said to have been largely influenced by Western political theory (Libera democracy), most especially the participatory ideology. Each of the Councils was a corporate body created by an Instrument which could revoked or amended, for example, by Regional Authority and the Governor-In-Council in the Western Region. This must, however, be done in accordance with the Local Government Law.

As O. Oyediran and Alex Gboyega noted, the two system aimed at the provision of social services, implementation of development projects, providing political education for local and national leadership and the promotion of local self determination protection of minority rights and integrity, 'all' of which were considered essential to the evolution of a liberal democratic society. So the philosophical conception of local government under the two systems was that of an institution with a higher ultimate political purposes than the mere delivery of social services and implementation of development projects.
However, the systems were faced with some problems. First, was the problem of ridiculously small sized local governments that made it very difficult for some to even pay their staff; also among others was the problem arising from the unpopularity of Divisional and County Councils because they faced competition from District Councils, they relied on the same resources, this among others led to friction among the tiers of local government and the call for the scrapping of Divisional and County Councils. Furthermore, because the systems placed emphasis on local autonomy there was no close supervision by the Regional Government; hence, corruption was very rife in the system.

The development of local government in the case of the North was different from that of the South (East and West). Despite the realization for the need to democratize local government because of its advantages, no attempt was made to alter the Native Authority system in any meaningful way. *The Native Authority Law of 1954* in the Northern part of Nigeria merely consolidated the Native Authority system. Although, the Law did not bring about a break from the former system, it however conferred legal recognition on Native Authorities like in the South.

The various arrangements in the North and South only changed marginally despite some reforms that took place until when the military came in power in January 1966.

One should however point out that there was a major development in the North around 1963. This was in respect of the democratization of local government in the North. By that year, it was decided that there should be some elected members. This had been effected before the military took over in 1966. This certainly weakened the power of traditional rulers who were the central figure in native administration before its democratization.

By that time the various local government systems had been in serious crises as they were afflicted with the problem of finance, corruption, excessive politicization and political inefficiency among others.

The major consequence of these especially was the problem of excessive politicking that the existence of local government councils and the tenure of officials depended least on merit. This explains the high rate at which councils were being dissolved or abolished during this period, either to punish political opponents or reward political loyalists. For example, in the case of Western Region, the Nigeria National Democratic Party (NNDP) that came into power after the Western Regional elections
in 1965 dissolved Local Government Councils and put in place Management Committees made of party supporters (loyalists). Although this was possible with the Local Government (Amendment) Law of 1958, which empowered the Regional Government to appoint either a Sole Administrator or a Committee or Management to perform the duties of a Council which had become "intolerably corrupt or inefficient", the sincerity of the government was questionable.

By the time the coup took place, there were no local governments worthy of the name anywhere in Southern Nigeria. However, the North had a strong Native Authority System and the Emirs and traditional rulers were in name and deed the 'government' in their localities. In the South, local governments became an institution of ridicule, a sort of object of contempt perhaps pity as well. What happened after the coup in most parts of the country especially in the South was the dissolution of the various Councils most of which were excessively politicized and composed on political party basis and in their places, Management Committees and Sole Administrators (who were Divisional Officers in the local government areas) as the case may be. However, in the North despite the political situation, the Northern Regional Government had no alternative to Native Authority System, a name that was only replaced with Local Authority in 1968 and largely remained the same in respect of functions, power and influence. There was also the taking over of some of the powers of local government. In the North, government decided to take over the functions of the Native Authority in respect of Police, Prisons and Native Courts. Similarly, in the West, around 1968, the responsibility for Forestry, Water Supply, some aspects of primary and secondary education functions, Customary Courts among others were taken over from local governments by the Regional/State Government. One major development in respect of local government in the North was a reduction in the uniformity and character of local government after the splitting of the North into six states in 1967. While Eastern and Western States continued with the local government they inherited, Northern States individually embarked on reforms along different lines.

As a result of the recommendations of the various Committees set up in different parts of the country, different systems of local administration (and not local government) emerged. The systems that emerged merely put the local units as subordinates of the states with little or no autonomy. The basic aim or the emphasis of the systems was to make for a unit of
local administration that can promote efficient development and not necessarily to promote democracy as under local government.

So from 1972, different forms of local administration were in place all over the country. In the defunct Mid-Western and Southern Eastern States there was Development Administration, in the East, Central State, there was Divisional Administration, and in the Western State was Council Manager System, a system patterned along the administration model in Canadian and United States of America urban settings. In all these, the state government exercised a lot of control on local government through the Residents, Divisional Officers among others.

These did not last as the Federal Military Government became interested in instituting a local government reform in Nigeria from 1975. In fact, the various systems had either failed or were in serious problems by the time the Federal Military Government set in motion the necessary machinery for the National Local Government Reforms that came into operation in 1976. The basic guidelines of this reform with little development that came, for example, through the partly suspended 1979 Constitution still remained the bedrock of the present day local government system in Nigeria.

The National Local Government Reform of 1976
The National Local Government Reform of 1976 which was initiated by the Federal Military Government replaced the different forms of local administration in Nigeria.

Significance of the Reform
The 1976 reform was very significant in the history of Nigeria's public administration in general and its local government in particular. Three reasons could be given for this. Firstly, it put an end to the different systems of local administration in Nigeria. Before 1976, there were as many local administration systems as there were states. But this reform ushered in a uniform one tier structure system of local government all over the country.

Secondly, the reform marked the beginning of the involvement of the Federal Government, in local government reform in Nigeria, before the reform, local government was primarily a Regional/State Government affair.
Thirdly, the reform was a landmark as it recognised local government as the 'third tier of governmental activities' in Nigeria and aimed at making local government perform precisely what the word government implies at the local level.

**Background to the Reform**

Three developments could be offered as the background to the 1976 reform. The first was the recurring problems facing local government since independence. Therefore, the 1976 reforms were to solve the various problems plaguing the country's local government system and usher in an efficient and effective system of local government. The various problems to which the reforms was to serve as a panacea or solution have been aptly highlighted by the then Chief of Staff, Supreme Headquarters Brigadier (then) Sheu Musa Yar' Adua in the Foreword to the *Guidelines for Local Government Reform* the official document that had the foundation for this system. These are:  

a. continuous whittling down of their powers by the State Government.  
b. continued encroachment on what normally would have been exclusive powers of local government.  
c. lack of adequate finance  
d. inadequate staffing  
e. excessive politicking; and lastly,  
f. there was a divorce between the people and the government at basic level.  

The Second reason is that, since the *Federal Government Supremacy and Enforcement Powers Decree* (Decree No. 28) of 1970, the Federal Government has been playing a predominant role in the nation's political, economic and social settings. The Decree which formally conferred privacy on the Federal Government and arrogated to its functions were not essentially its concern. The involvement of the Federal Government in local government is therefore an exercise of such.  

The third which happens to be the immediate cause of the reform was the fact that the Federal Military Government recognized the importance of local government in national development and political stability. It thereby thought it fit to embark on a re-organization of local government as part of its five - stage programmes (announced by the then Head of
State, Late Brigadier Murtala Mohammed in his October 1st 1975 Independence Anniversary Broadcast, designed to ensure a smooth transition to Civil Rule on October 1, 1970.

According to Brigadier Yar' Adua,

"if stability at the national level is to be guaranteed, a firm foundation for a rational government at local level is imperative."

To achieve the above, the Federal Government set up four separate Task Forces in each of the three zones to which the country was divided. After widespread consultations of the people and traditional rulers, there was a National Conference, at which the reports of the Zonal Committees were discussed between 10th and 11th February, 1976. The decisions at this Conference with the positions by other interest groups-traditional rulers, intellectuals etc. were then discussed at a joint meeting of the Supreme Military Council (SMC) and the National Council of States (NCS). The result of these bodies' deliberations led to the 1976 Reforms.

From our discussion above, it is clear that there has been a progressive move, although with some set-backs from native administration, local and development administration to local government (at least in principle).

**Local Government under the 1976 Reform**

With the Local Government Reforms of 1976, local government in Nigeria became the third tier of government. As the Chief of Staff (then) Supreme Headquarters Brigadier(later Major General) Yar' Adua, noted in his Foreword to the Guidelines, with the reform "The Federal Military Government has.... decided to recognize Local Government as the third tier of governmental activity in the Nation", and that "Local Government should do precisely what the word government implies i.e. governing at the grassroots".

The 1976 Reform was a major innovation in Nigerian public administration as it sought to run down the framework of a uniform system of local administration-one tier multipurpose local government system throughout the Federation. Also, with the reform commenced
Federal Government interestedness in local government affairs. Issues relating to local government especially its reforms were before 1976 a largely Regional/State matter.

The Guidelines for Local Government Reform generally spelt out as we already discussed the basic aims and principles of local government in Nigeria. Also, it sets out four basic criteria which could be regarded as the strategies aimed at finding solutions to the problems of local governments in Nigeria as at that time. These were that:

a. local governments must have definite and precise functions designed to promote the development of local government areas;
b. they must have assured finance to enable them plan their budgets and carry out their functions;
c. they must have adequate personnel to be headed by a Chief Executive;
d. provision for at least two standing Committees namely Finance and General Purpose Committees and Education Committee. There may however be other Committees that must be kept to the maximum of four on the whole, and lastly; and
e. in order to achieve efficiently large scales of operations to be able to perform all their functions and economically too, a minimum population size was stipulated for local governments.

With the reform, before a new framework for local governance was introduced, Local administration gave way to local government, which in theory is a level of government in its own right. A population of between 150,000 to a maximum of 800,000 except in urban areas was fixed to delineate the size of local governments. So, with the reform, the problems of small sized local governments with inadequate resources and frictions arising from tiered local government system were solved at least on paper.

On the composition of local government Councils, the Guidelines provided for direct or/and indirect election of Councilors. It also made provision for a Chief Executive not below the rank of an Administrative Officer on Grade Level 13 who is known as Secretary. Two to four Committees each headed by a Supervisory Councilor and specialized departments were also provided for. Other provisions included functions of local government, which were divided into exclusive and concurrent functions, finance, Traditional Councils etc. Some of these provisions which are still very relevant now shall be discussed later.
In line with the decision of the then Military administration to guarantee the statutory nature of local government as a third tier of government in Nigeria, the 1979 Constitution in its S. 7 149 and Fourth Schedule recognized local government as the third tier of government in Nigeria.

Before we discuss the structure of local government in Nigeria, it is important to briefly discuss the 1979 Constitution as it affected local government in Nigeria.

**Local Government and the 1979 Constitution**
The 1979 Constitution was very significant in the history of local government in Nigeria as it contained, for the first time provisions in respect of local government in the country. There, however, seems to be no consensus as to whether the spirit and letters of the Guidelines or the reforms of 1976 were adequately guaranted16. Our concern here is only to discuss the aspects of that Constitution that are relevant to Local government.

**Establishment or Creation of Local Government**
As already mentioned, S. 7 149 and Fourth Schedule are very important here. S.7 especially S. 7 (i) guarantees a democratically elected local government system in Nigeria.

It states that:

> “the system, of local government by democratically elected local government councils is under this constitution guaranteed; and accordingly the government of every State shall ensure their existence under a Law which provides for the establishment, structure, composition, finance and functions of such Councils.”

With the above, the responsibility for creating local government was on the State government.
Delineation of Local Government Area

The S.7 (2) relates to the delineation of local government areas. Such areas should be defined "as clearly as practicable" Furthermore, in defining such as areas, due regard should be paid to:

i. the common interest of the community in the area;
ii. traditional association of the community; and
iii. administrative convenience.

Functions of Local Government

In respect of the functions of local government, the S. 7 (3) and the Fourth Schedule are very important.

The S. 7 (3) provides that a local government council within the state shall participate in economic planning and the development of the areas under its jurisdictions. The Fourth Schedule which set out the functions conferred on local government in S. 7 (5) provided for two categories of functions of local government. These are the "main functions" and what could be called "participatory functions."

The main functions of local government could be regarded as the exclusive functions of local government. These are essentially the traditional functions of local government. These are in respect of collection of rates, radio and television licenses and establishment and maintenance of cemeteries, burial grounds and home for destitute. Others are the construction and maintenance of roads, streets, drainages, naming of roads and streets and numbering of houses registration of all births, deaths and marriages: assessment of privately owned houses for the purpose of levying rates licensing of bicycles, trucks etc.

The participatory functions are those it performs with the state Government, in essence concurrent functions which included:

a. the provision and maintenance of primary education;
b. the development of agriculture and natural resources and then the exploitation of minerals;
c. the provision and maintenance of health services and
d. such other functions as may be conferred on a local government council by the House of Assembly of the State.
Finance of Local Government

The last among the provisions relating to local government is S.149 which deals with Distributable Pool Account. The sub section (4) of that Section states that "amount standing to the credit of Local Government councils in the Federation Account shall…..be allocated to the State for the benefit of their local government councils" Furthermore, the sub-section (5) provides for the establishments of a special account to be called "State Joint Local Government Account" into which all allocations to the local government of the State shall be paid. Sub-Section (6) and (7) provide that the State government shall pay a certain proportion of its total revenue to be determined by the National Assembly to local government and that the amount in the State Local Government Joint Account has to be distributed to local government as the House of Assembly of the State may prescribe.

The above provisions in respect of local government are very important as for the first time, local government was entitled to direct allocation of funds from the Federation account. Before 1979, local governments relied on grants and statutory allocation defined by law. Thus, with this provision local governments were entitled to an allocation prescribed by law and just anything from higher levels of government.

Although, the various provisions above are very significant improvement in local governance in Nigeria, there is a limit to whether these meant much in reality. This we shall discuss.

Structure of Local Government

The structure of local government in Nigeria is provided for under the 1976 reform which formed the basis for the state Edicts under which the various local government were constituted and operated and are to some extent still being operated.

The Local government in Nigeria is a multi- purpose single-tier institution and not tiered as before 1976. Each of the Councils is expected to have self-contained budget, its own identity, power, sources of revenue and functions. However, a local government can create subordinate councils to which it delegates functions and requisite financial allocations from its budget. These subordinate councils do not comprise a separate tier but are parts of the tier comprised of the parent local government.

Each of the local government has a Local government Council made up of predominantly elected members by direct or indirect elections under
a Chairman. Twenty-five percent of the membership of each Council may however be reserved for members nominated by the State Governor. The tenure of the Council was normally three years, but in recent times, it has not been so fixed because of the frequent changes in government and its policies.

Ideally, the nominated members are not to participate in Councils on partisan basis, rather they are expected to be concerned about the development of their local government area rather than being involved in national or party politics.

The Chairman of the Council is elected by the Council from among themselves subject to the ratification of the State Governor. Alternatively, the council might elect three candidates from its own membership listed in order of preference from where the governor nominates the Chairman;

To facilitate the Council's work, there are some Standing Committee. Normally there are two standing Committees, namely:

a. a Finance and General Purposes Committee; and
b. an Education Committee.

There may be other Standing Committees that should be kept to a minimum and should be restricted to a manageable size. The number of Committees should not be more than four. In most cases, apart from the above mentioned Committees, two other Committees that are common to local governments are the Medical Health and Works Committee.

Members of these Committees, including their Chairmen are elected by the Council. The exception are in respect of representatives of bodies other than the Council, for example, in the case of Education Committee. Specifically, the methods of election of Chairmen of Committees are the same as that for the Chairman of the Local Government Councils. All the appointments discussed above, may in some cases require the approval of the State Governor. Some other important aspects of the structure of local government are:

i. **Local Government Executive/Cabinet**

For efficiency, each local government is divided into departments. The specialized departments are the Main Administrative, Agriculture, Education, Finance, Health, Works and Housing. The political control of these departments by the Council is exercised through a small number of Councillors, not normally exceeding
four, who are Chairmen of small committee concerned with the political direction of a group of departments or a single department as in the case of Education.

These Chairmen of Committees referred to as Supervisory Councilors are political heads of the department or group of departments and are automatically members of the Finance and General Purposes Committee which is regarded as the "Cabinet" of the Local Government Council.

These Committee Chairmen are responsible for policy issues and they do not have executive functions as individuals. They undertake political responsibilities for the day-to-day functioning of departments and represent the Council in these departments.

They give orders to the executive heads of local government departments on policy issues; however, such orders do not include the internal management of the departments.

Members of departmental committees are not expected to give directives to executive heads of departments directly, if such relates to policy matters, it should come from the Chairman as political heads of departments.

ii. The Administration

The administrative responsibilities lie in the hands of the Secretary who is the Chief Executive of the Local Government.

The Secretary is responsible for the internal organization and management of the local government. He is accountable to the Council and the Finance and General Purposes Committee. The various executive heads of departments are responsible to him.

iii. The Traditional or Emirate Council

In respect of each local government or groups (in a case where more than a local government fall under the authority of a paramount Chief or Emir) of local government under the authority of a single Emir or a Paramount Chief is a Traditional Council.

The Traditional Council has an Emir or a Paramount Chief as President. The Presidency could be permanent in cases where there are clearly recognized Chiefs. It is rotational on an annual basis if no such Chiefs exist. Apart from the Emir or President, a traditional Council
consists of traditional title holders, one or two representatives of each Local Government Councils if deemed necessary and any other person who make the Council representative of the area of its jurisdiction.

The President of the Traditional Council is the Ceremonial President of the Local Government Council; the normal business of the Council is presided over by a Chairman.

**The functions of an Emirate or Traditional Council are:**

a. Formulation of general proposals as advice to Local Governments;
b. Harmonization of the activities of Local Government Councils through discussion of problems affecting them generally, and giving advice and guidance to them;
c. Co-ordination of development plans of Local governments by Joint discussion and advice;
d. Determination of religious matters where appropriate;
e. Support for arts and culture;
f. Chieftaincy matters and control of traditional titles and offices except in cases where such is the prerogative of the Emir or Chief, in this case the Council's functions shall be advisory; and
g. Taking the opinions or demands of the focal government area to the Local Government.

**Finance of Local Government**

Local government in Nigeria derives their revenue from both internal and external sources.

*Internal Sources:* The internal sources of local government revenue include:

a. local rates and community tax;
b. money realized from services provided by local governments e.g. rent on market stalls, rates on motor parks etc;
c. fees from bicycle licenses and market fees;
d. tenement rates which is a tax payable annually or the value of building by their owners;
e. capital on poll tax;
f. development levies; and  
g. investment revenue and commercial undertakings.

External Source: There are three main external sources of revenue. These are:

a. Statutory allocations from the Federation Account and from the State Government. For example, the Revenue Allocation Act of 1982 in line with the S. 149 of the 1979 Constitution stipulates a minimum of 10 per cent of the Federation Account for local governments.

b. Loans and borrowing.

c. Grants for specialized projects from State or Federal Government. Such grants must be used for the purposes for which they were granted.

Functions of Local Governments

Apart from the specific, exclusive and concurrent functions already discussed in this lecture, local government perform some broad categories of functions.

In general, these functions are those "which require detailed local knowledge for efficient performance, those in which success depends on community responsiveness and participation" and those "which are of personal nature requiring provision alone to where the individuals affected live", and in "which significant use of discretion or understanding of individual is needed".

These functions are that, local governments:

a. govern the people at local level;

b. serve as linkage between the State Governments and the Ideal people and in some cases serves as an intermediary between the Federal Government and local people (by disseminating Federal Government policies);

c. provide certain services for their localities e.g. sanitation, building and maintenance of market stalls, maintenance of minor roads, naming of streets, providing bus service etc.;
d. see to matters affecting the people in their local government areas and convey same to the appropriate authorities;

e. facilitate the implementation of government programmes/plans e.g. Registration of voters for 1979 election was organized at the local government level;

f. ensure that law and order are maintained in their various areas;

g. can make bye-laws which the law permits but subject to the approval of a higher authority; and

h. raise funds for the effective performance of their duties.

Relationship of Local Government with State and Federal Governments

Under a perfect local government system, local governments should be autonomous of State and Federal Government as State Governments are free from Federal Government. But from our discussion, it is clear that local governments are still in some ways subordinated to State and Federal Governments. For example, in respect of their existence, they are created by the State Governments. Also the State Government has the power to dissolve the local government Councils.

Also, the state governments exercise some controls through the Local Government Service Commission Boards, the Ministries of Local Government and the Zonal Inspectorate of Local Governments specifically, through the Local Government Service Commission, the appointment, promotion, discipline and transfer of Local Government staff especially at the, higher levels are carried out. The various Local Government Councils do not even have the power to discipline their junior staff. Such disciplinary measures to become effective have to be approved by the Commission.

The Ministry in its own case controls the local government in the exercise of their power of delegated legislation, for example, bye-laws etc. ...also, the Ministry's approval is necessary for the Local Government budget to be implemented. In a situation where local governments are truly governments at the grassroots levels, it does not mean that local governments have to be sovereign. They are expected to conform within the requirements of national standards. This should not however affect their control over local affairs in terms of policy formulation and implementation.
Another important aspect in the relationship of local government with the State and Federal Governments is that the local government assists the state and Federal governments in implementing some of its policies and programmes.

Problems of Local Government

Local government in Nigeria has many problems. Some of these problems have been recurring for a long time. In fact it is interesting to note that the problems of local government in Nigeria in 1984 were the same as those in (1976) (1) Generally, the problems are:

a. Whittling down of local government functions and powers by State and Federal Governments by their encroachment on what should normally be exclusive to local governments.

b. Inadequate funding due to insufficient internally generated funding and withholding of local government funds by the central (State and/or Federal) governments.

c. Inadequate staffing as a result of lack of competent, qualified and experienced manpower to man the challenges of local governments in the provision of services. For example, most local government lack medical doctors, engineers, etc.

d. Excessive external interference and control especially by the State Government. For example, the existence of local government commission, the Ministry of Local Government and Zonal Inspectorate of Local Government affects local government autonomy.

e. Corruption, nepotism and favoritism.

f. Structural discontinuity which makes for frequent changes in the structure or/and system of local government.

g. Lack of local government autonomy over local affairs. Local governments do not have control on their environment.

h. Excessive politicking hampers local government’s performance.

i. Frequent changes of government frequently alter the existing system of local government especially military rule which in most cases alter existing arrangement and erodes local government autonomy.
Recommendation

The following are solutions to the problems of local government in Nigeria namely:

a. proper delineation of the functions of local government and the need for the State and Federal Government to allow them to perform these functions;

b. increased funding to local government from the Federation Account. Also this money should be sent directly to local governments;

c. employment of competent personnel.;

d. abolition of institutions through which State Governments control local governments. For example, the Ministry of Local Government and the Local Government Service Commission;

e. Granting of greater autonomy to local government over their own affairs especially in relationship to approval of budget and policies etc;

f. constitutional guarantees for the status of local government in a way similar to that of the State Government;

g. each local government should have a Chairman with executive power;

h. the powers to dissolve local government or the power to approve the election of local government Chairman should not be vested in the hands of the State Governor. Local government Chairmen should be directly elected; and

i. the appointment, promotion, discipline etc. of local government staff should be vested in a Body-Commission or Board-controlled by the local government and not the State Government. This calls for the abolition of Local Government Service Commission as it is presently constituted.
Summary

1. Local government, by virtue of the 1979 Reforms in Nigeria constitutes: Government at the local level exercised through Representative Council established by law to exercise specific powers within defined areas.

2. The principal aims and objectives of local governments are to provide services and engage in development activities, promote 'democratic self-government'. Mobilize human and material resources and provision of a two-way channel of communication between local communities and government.

3. Before 1976 reforms, each of the component units in Region or State-was responsible for local government reforms.


5. The problems of local government in Nigeria before and after the 1976 reform were similar—finance, staffing structure discontinuity, whittling down of powers etc.

Things to do

a. Find about the development of local government in Nigeria after the 1976 Reforms.

b. Read more about the problems of local government and then solutions as proposed by the Dazuki Report.

c. Inquire into the operation of local government in your local government area and state during the Second Republic.

Post - Test

1. When was modern local government system introduced in Nigeria?
   a. Before 1950
   b. Between 1950 and 1955
   c. After 1960
   d. 1976
   e. (c) and (d)
2. Under the 1976 reforms, local government in Nigeria was to be
   a. an agent of the Federal Government
   b. an agent of the State Government
   c. a government of its own right
   d. the third tier of government activities in Nigeria
   e. c and d

3. Which of these is not one of the aims of local government in Nigeria?
   a. to provide local service
   b. to appoint traditional rulers
   c. to serve as a linkage between the people and the state government
   d. to promote local democracy
   e. to maintain law and order

4. Enumerate some of the problems of local government in Nigeria as at 1976.

5. What provisions in the defunct 1979 Constitution affected local governments in Nigeria?

References


9. Ibid. p. 171.


12. Ibid.

13. Ibid.

14. Ibid.


LECTURE EIGHT

Local Government in Nigeria II: An update

Introduction
This lecture which is essentially a follow-up on the last specifically deals with the various revolutionary or transformatory changes in Nigeria's local government system under the Babandiga administration.

The various changes which came in a disjointed incrementalist manner started with his 1998 Independence Day broadcast in which he conferred some autonomy on the country's local governments have culminated in the extension of separation of powers, in essence presidentialism at the local government level in Nigeria:


For you to grasp what you are about to read in this lecture, attempt to recall some of the salient points in the last lecture particularly in respect of the structure, power, functions, finance and problems of local governments.
Objective
The aim of this lecture is to discuss in detail the various developments in the local government system under the Babangida regime.

Pre-Test
1. Enumerate the problems of local governments in Nigeria before the Babangida administration.
2. What were the essential features of local governments under the defunct 1979 Constitution?
3. Would you accept the view that the arrangement for the funding of local governments before 1988 was adequate?
4. How appropriate were local governments’ institutional arrangements under the 1976 reforms?
5. What were the major defects of local governments in Nigeria during the Second Republic?

CONTENT
Background to the Recent Trend
In order to facilitate your understanding of the various recent developments in respect of local government in Nigeria, it is important to reflect on some developments at the level of government before the Babangida administration.

Three defects were discernable in respect of the system of local government that the Obasanjo regime handed over to the civilian regime of the Second Republic. These relates to:

a. Inherent contradictions and ambiguities in the provisions relating to local government in the 1979 Constitution: Although, the Constitution in its section 7, 149 and Fourth Schedule in ways unknown in Nigeria’s constitutionalism provided for a system of democratically elected local government, local government sharing from the Federation Account and functions of local governments respectively, these were largely not unambiguous.

For example, S. 7(1) subordinated local government under the State government while its other sub-sections seemed to invalidate the objective criterion-population for the creation of local
governments under the Guidelines of 1976. Also, the Fourth Schedule which in its paragraph 2 gave local government participatory functions in respect of certain matters also led to the state encroaching on some local government functions under the pretext that such were concurrent functions of state and ideal governments. In some cases, deductions were made from governments share in the cost of provision of the services.

b. Local Government Elections: The Obasanjo regime failed to conduct local government elections to elect Councilors that would have replaced the Councils that were constituted in December 1976 under the 1976 Reforms. So, when in December 1979, the tenure of the Councils expired, the Governors dissolved them and appointed Management/Caretaker Committees. In cases where there were attempts to conduct local government elections by the state governments these were met with problems which were constitutional and political. This emanated from the federal structure of the Electoral Commission, Since the State Electoral Commission was to be composed by the State Executive and given the politics of the Second Republic, there was lack of trust in the State Electoral Commission. Thus, there ensued a controversy as to the level of Electoral Commission that had the power to conduct local government elections. This remained unresolved until the Second Republic collapsed.

c. Presidentialism of the local Government Level: When Presidentialism was being introduced at the federal and state levels; this was done at the exclusion of the local government level.

The above defects among others accounted for the abnormalities in the system of local government during the Second Republic.

The following are observable features of the local government system during the Second Republic:

a. caretaker/Management Committees were in place as against democratically elected Councils;

b. excessive politicization of local government;

c. excessive and reckless proliferation of local governments for political reasons. At a point, the number of local governments in Nigeria rose from the 301 in the (1971) Constitution to 806 in
d. state government encroaching on local government share from the statutory allocations by either withholding of their allocations or making illegal deductions from allocations; and
e. encroachment on the functions of local governments e.g., markets.

From the above among other developments during the Second Republic, it is not difficult to comprehend the problems of local government as at 1983 when the Second Republic collapsed. So, less than ten years after the 1976 Reforms, Nigeria was yet to arrive at a virile system. This was explicitly stated by Group Captain Ugbana in 1984 when addressing the Conference of Commissioners of Local Government in the Federation that,

“what is germane is to come up with the basic principles that would facilitate evolution of better and more meaningful art of local government with its attendant impact on the lives of the generality of the people.”

and the ‘need for evolving a virile and result oriented Local Government’. The Conference was to consider the Report of the National Review Committee on Local Government in Nigeria popularly referred to as Dasuki Report. The Committee which was inaugurated by the then Chief of Staff, Supreme Headquarters, Major General (rtd.) Tunde Idiagbon was to among others, evolve the most suitable mode of managing the Local Government within the context of the Present (then) Military Administration.

Since the White Paper on the Report was published in 1985, aspects of the accepted recommendations had been implemented. These, however, did not bring any significant changes in local administration.

It was not until 1987 that there were indications that the local government system in Nigeria was due for some radical transformations. One of the earliest indications was on January 4, 1988 when President Babangida was swearing in elected Chairmen of Local Government
Councils in Nigeria. Based on the government conviction that the problems of the past was occasioned by the non-observance of the constitutional provision of local government the President reiterated that local councils be administered as a third tier of government. To this end therefore, he stated that the local government must be properly funded and endowed with constitutional responsibilities and personnel. He urged the Chairmen to see themselves as,

“elements of a major social force that must bring into function the requirements of the 1979 Constitution and the desire and determination of the people to be governed democratically”

Since January 1988, a lot of reforms had taken place that moved local governments closer to its prescribed third tier status with requisite level of autonomy. These changes which transformed local governments culminated in local governments having institutional arrangements comparable to what operated at state and federal levels during the Second Republic, a presidentialism was eventually extended to local government level in 1991. These changes which are incrementalist in approach are discussed below.

**Recent Changes in Local Government Administration**

The changes or reforms discussed below came mainly as a result of policy pronouncements and not as a result of constitutional provisions. These changes have also been progressive in an incremental way.

In his 1988 Independence Day Broadcast, the President formally conferred some autonomy on local governments and made some public measures aimed at strengthening local governments as a tier of government. These include:

1. **the abolition of the Ministries of Local Governments in the states:**
   With this, the Federal Government gave in to the position of radical local government intellectuals, as against the position of the 'father of local government' that the Ministries were irrelevant and inhibitive of proper functioning of local governments. The decision was to:
"Liberate local government from unwholesome bureaucratic constraints; enhance their spread of action" and put them in firm control over local affairs and encourage the emergence of local solutions to local problems.

2. **direct funding of local governments by the Federal Government:**
This which was one of the recommendations by the Political Bureaus was to stop the reported diversion or withholding of local government funds by the state governments.

As appropriate as these policy measures seemed to be, some other provisions and government actions subverted the changes.

The 1988 pronouncements meant little, apart from the fact that the Local Government Service Commission remained intact (the Commission was eventually abolished in 1992 - see 1992 Budget Speech by the President in *The Guardian* January, 1992.) The 1988 pronouncement also created the Department of Local Government in the Office of the Governor. This, department at least until recently is not less meddlesome as the ministry. Also, the direct funding did not make much difference as the state governments continued until recently to exert a lot of control and pressure on local government finances. Although in theory, local governments who derive their funds directly from the Federal Government, in practice, state government did not change the practice of making financial demands from local governments had no freedom over their expenditures. For example, spending limits which made it impossible for local governments to spend above certain amounts without state government approval were imposed. Some other developments had brought some changes in the above.

The 1989 Constitution made some remarkable progress as it moved local governments close to being a third tier of government and made a more elaborate provision in respect of the level of government. Section 7, Part I of the *First* and *Fourth* Schedules and Chapter VIII made elaborate and more sophisticated provisions for local government. Despite this, the 1989 Constitution failed to extend Presidentialism and checks and balances to the local government level. Some of its new provisions include the provisions of 'recall', 'impeachment', detailed provisions in respect of the offices, tenure of members among others. *The Local Government (Bash: Constitutional and Transitional Provision)* Decree, Decree No. 15 of 1989 was not different.
The 1991 Budget Special\textsuperscript{6} by the President was a landmark as the President in that speech recorded full administrative and financial autonomy on local governments in Nigeria. He also stressed the freedom of local government from control by higher levels of government when he said that,

“the Council will not be subject to control and direction by the State or Federal Government in the discharge of their constitutional responsibility.”

and that, they are responsible to the electorate. With particular reference to financial autonomy, he opined that, "all forms of control overt and covert by state government on financial dispensations of Local Government must cease. Furthermore, he stated that State Governments must not act as "financial intermediary for local government in the allocation and transmission of funds”.

Also, in the same Budget Speech, local governments have been made responsible for funding and development of primary (excluding policy formulation, quality control and infrastructure) education while statutory revenue accruing to local government from the Federation Account was increased from 10 to 15 per cent. The local government share from the Federation Account was further increased by 5 per cent in the 1992 Budget in reaction to the abundant evidence that local governments were in financial problems as a result of their responsibility for primary education among others.

One should add here that with the above changes, the 'National Primary Education Fund and Commission' set up via Decree No, 31 of 1988 were abolished. The Local Education Decree, Decree No, 3 of 1991 charged local governments with the entitlement including pensions and other staff matters; it also created Local Education Authority, a purely local government level institution, to replace the State Primary School Management Board.

Another major development was the application of the Civil Service Reforms to Local Government Services. With this, the Secretary to each local government is to be appointed by the elected Chairman of the local government. According to the Vice President, the appointment is political and the Secretary shall hold office at the pleasure of the Chairman.
Before this, Secretaries were career officers and were under the Local, Government Service Commission. This is a remarkable development if one takes cognisance of the fact that the 11 Man Technical Committee on the Application of Civil Service Reforms in Local Government Service set up on 18 July 1988 and submitted its Report on 31 August 1988 had recommended and Government had accepted that “the application of the Civil Service Reforms in Local Government Service shall be selected to avoid instability and disruption at Local Government level. Under the selective application of the reforms, the Chairman became the Chief Executive and Accounting Officers of Local Government while the Secretaries retained some of their powers but lost their role as Accounting Officers.

The last and perhaps the most significant of the changes in Nigeria's local government was the introduction of separation of powers, in essence, presidentialism to the local government level. This was with the Local Government (Basic Constitutional and Transition Provisions) (Amendment) Decree No. 23 of 1991. The provisions in the decree and the guidelines for implementation from the Presidency via circular No. VP/925/vol. of 15 May 1991 are dramatic, revolutionary and very unique as they in membership, functions and control make a distinction between the Executive and Legislative arms of a local government.

Before this decree, local governments that were composed after the December 8, 1990 elections made no distinction between the Executive and Legislative Arms. Then a Local Government Council was composed of the Chairman, the Supervisory Councilors appointed from among the Councilors, and other Councilors. However, with Decree 23 of 1991; the Executive Arm is the Local Government while the Legislative Arm is the Local Government Council. The former is made of the Chairman as the Chief Executive, his Deputy, and Supervisors appointed from among or outside the council with the proviso that any Supervisors appointed from the Council has to forfeit his seat. The Council which meets at least once a month is made of the Leader of the Council and his Deputy elected from the Councilors from among themselves and part-time Councilors. So, the Chairman and Supervisory Councilors (now Supervisors) cease to be members of the Council.

While the Decree and Guidelines are silent on the powers and functions of the Executive, they charged the Legislative Arm of the Local Government with the following functions which are indeed their powers.
These are:

i. law making, debating and passing Local Government Legislation;

ii. debating, approving and possibly amending Local Government annual budget, subject to the Chairman's veto, which could be over-ridden by a two-thirds majority of the Council;

iii. vetting and monitoring the monthly implementation of projects and programmes in the Local Government annual budget;

iv. examining and debating monthly statements of income and expenditure rendered to it by the Executive Arm of Local Government;

v. impeaching the Local Government Chairman if he commits an impeachable offence in accordance with the Constitution of the Federal Republic of Nigeria;

vi. advising, consulting and liaising with the Local Government Chairman who is the Head of the Executive Arm of the Local Government; and

vii. performing such other functions as may be assigned to it, from time-to-time, by the House of Assembly of the State in which it is situated.

Although the documents were silent on the executive functions, one can get around this by following the situation at the higher levels of government. With this, one could say that the executive powers of a local government extend to the execution and protection of the constitution all bye-laws made by the Local Government Council, and all matters upon which the Council can legislate.

However, the exercise of such executive powers must not impede or prejudice the exercise of the executive powers of other levels of government and the powers of the Council.

One should however note that the principle of checks and balances necessarily applies in Legislative executive relationship. This which is outside our discussion here is comparable to what obtains at the state and federal levels.

One should however add that under the Babangida regime, the number of local governments increased from 301 to 453 and now 593. Some urban local governments like Ibadan Municipal have also been broken into more local governments contrary to the 1976 Guidelines.
All the changes discussed above are by far superior, more sophisticated and at least in principle make local government a third tier of government with comparable institutional arrangements to state and federal level of government. The recommendations in the Report of the Political Bureau, the Constituent Assembly, the provisions in the 1989 Constitution and the Local Government (Basic Constitutional and Transitional Provisions) Decree No.15 of 1989 which was to provide a framework for the local government system during the transitional period were not better off all of them are defunct as they failed to extend presidentialism to the local government level.

What the above suggests is the need for series of amendments to the 1989 Constitution to reflect the various changes we discussed in this lecture.

**Summary**

1. The local government system during the Second Republic was defective because:
   i. there were constitutional ambiguities or contradictions in the 1989 Constitution;
   ii. the Obasanjo regime failed to organize local government elections as part of elections that preceded the return to Civilian rule in 1979. Because of this among other reasons, Management/caretaker Committee were appointed by the Governors when the tenure of the Councilors expired in December 1979; and
   iii. presidentialism was excluded from the local government level.
2. There were other problems during the Second Republic that hindered effectiveness of local governments. These included:
   i. state governments encroaching on local government functions and funds;
   ii. excessive politicization of local government; and
   iii. excessive and reckless proliferation of local governments.
3. Recent developments in Nigeria’s local government system started in the main with the 1988 Independence Day (October 1) Broadcast by President Babangida with the granting of ‘some autonomy’ to local governments, the abolition of the Ministry of local Government and Direct Funding of the Local Governments.
4. Since October 1, 1988 some of the dramatic changes include:
   i. elaborate constitutional provisions in respect of local government in S.7, Parts 1 of each of the First and Fourth Schedules, Chapter VIII of the 1978 Constitution;
   ii. financial and administrative autonomy to local government in the 1991 Budget Speech;
   iii. conferring responsibility (excluding policy formulation and quality control) for primary education on local governments;
   iv. extension of the 1988 Civil Service Reforms to the local government level.
   v. extension of Presidentialism to the local government level; and
   vi. increase in the number of local government Councils.

5. The various changes are superior to the provisions in the 1989 Constitution among others. Therefore, the Sections relating to local governments in the 1989 Constitution are due for amendments to reflect these changes.

Things to do

a. Find out the extent to which changes are real in your local government among others.

b. Read more about the recent changes in the various documents referred to in this lecture especially Decree 23 of 1991; Presidentialism, Separation of Powers, and Checks and Balances.


d. Find out how checks and balances apply to the local government level.
Post-Test

1. Enumerate the problems of local governments during the Second Republic.
2. Itemize and discuss the recent changes in local governments in Nigeria.
3. What is the effect of the introduction of presidentialism at the local government level?
4. What is the distinction between local government and Local Government Council in terms of their composition and functions under the presidential system?
5. From your understanding of Presidentialism at higher levels of government, how does checks and balances apply to the local government level?

Reference

3. Ibid.
5. The Report of the Political Bureau (1987), p. 124,
LECTURE NINE

The 1988 Civil Service Reforms in Nigeria

Introduction
Our task in this lecture is to enable you understand the reasons for the elements, implications and criticisms of adequacy of the changes in the Nigeria Civil Service of 1988 under the Babangida military administration. The provisions in the reform which have been promulgated into law by Decree No. 45 of 1988 have been entrenched in the 1989 Constitution and it is being given effect at all levels of governance in Nigeria. The changes and indeed the reform package are very significant for their implications for the Nigerian Civil Service, which ceases to be patterned along the British Civil Service model under the reform.

So you should know the background to the reform, the elements of the reform, the implications and the extent to which it could usher in virile civil service in Nigeria.

Objective
It is intended to examine the adequacy or otherwise of the 1988 Civil Service reforms in this lecture. Therefore we examine the background, provisions and prospects of the exercise.

Pre-Test
1. What do you understand by changes or reforms?
2. What were the problems facing the Nigerian Civil Service before 1988?
3. Why was the reform necessary?
5. What impact can the elements have on the Nigerian Civil Service?
6. Do you consider the elements of the reforms adequate for a development oriented civil service in Nigeria?

CONTENT

Understanding the 1988 Changes or Reforms

The need for institutional changes or reforms of whatever type is universal.¹

The reason being that institutions all over the world suffer one form of inadequacy/disorder or other. Even, in cases of perfection there is also the need for improvement. So, there is always the need for administrative 'surgery', and/or 'therapy' to correct noticeable disorder or enhance performance.

In whatever institution, the need and direction of changes are always dictated by performance, the environment for its operation, the understanding and diagnosis of its problems; and the political will of the reforming authority (ies) among others. These among others which include the extent to which the requisite supporting ethos for the changes is assured, determines the extent to which the anticipated result(s) could be guaranteed. If the conditions are not right, any change with the status quo, where the prevailing attitudinal behaviour is not supportive of the change is futile. Institutional change then, does not only require an overhaul in 'structure and procedure' and the 'attitude and behaviour' of the operators: it also requires engendering requisite ethos not only outside the institution but within its environment of operation. The last factor is particularly important since the whole essence for change is the adjustment of bureaucracy and society, and the fact that, change strives to improve public administration in the line with the desired goals of the state. These elements apply to institutions in both developed and developing countries alike, but more so, in the latter.

The United Nations observation on the type of change that the developing countries like Nigeria requires is instructive. To the body, what is required in developing countries is an "administrative revolution" supportive of revolutionary changes going on in other spheres.² In this circumstances, changes require a recreation, renewal and revitalization of public administration "to produce the changes and achievements required in the transformation of societies..."³
Such administrative changes which is essentially transformatory should be directed at replacing ‘Dysfunctional and inapplicable administrative structures, systems and practices...

The United Nations position provides a framework for understanding the various changes in the Nigerian Civil Service over the years particularly under the new dispensation. For example, The changes before 1988 had been largely reformatory as the status quo was sustained, no revolutionary changes in the civil service was effected as the dictate of the society did not suggest that. This is quite unlike the revolutionary changes in the Nigerian Civil Service in 1999 which were largely dictated by the transformation - the search for a new political, economic and social order - anticipated in the larger society apart from the internal dynamics and known performance of the civil service.

Given the fact that the civil service as we already discussed in the last lecture constitutes the major vehicle for public administration in Nigeria, it is little wonder then that, governments are naturally interested in ensuring that the civil services on which they depend for policy advice and for the implementation of concluded policies operate with maximum efficiency. This is done by embarking on reforms that do take place to make for better performance more so, when certain deficiencies are noticed in the attainment of systematic goals.

In keeping with the above, the Nigerian Civil Service had experienced some changes which were largely reformatory (before 1988). Some were consciously engineered while others were either accidental or necessary consequences of certain developments in the country. As we already discussed such incidents like - political instability via military coup d'etat and indeed, military in politics; creation of state, 'oil boom', constitutional engineering’ among other led at different times occasioned some piecemeal reforms within the British Civil Service model.

The Need and Direction of Change in the Nigeria Civil Service before 1988

At the time the military was handing over power to the politicians of the Second Republic in 1979, the available assessments of the Nigerian Civil Service were unanimous that the civil service was very powerful (more powerful than is traditional and proper), overpaid, self seeking and corrupt.\textsuperscript{4}
Its counter-productiveness was publicly acknowledged by the Head of State, General Obasanjo who handed over power to the civilians.\textsuperscript{5}

The above assessment which most fitted the General(rtd) Gowon era (1966-1975) of super-Permanent Secretaries applied to Murtala/Obasanjo regime(1975-1979)despite the regime's realizing the need for a "more permanent reform measures,\textsuperscript{6} behold the great purge in 1975\textsuperscript{7} in order to "consolidate and maintain efficiency and discipline..."

Apart from the regime "clipping the wings" of the higher civil servants thereby, reverting the civil service to its traditional advisory and policy implementation role, it did no more than instituting institutional safeguards i.e establishing, permanent Corrupt Practice Investigation Bureau, Public Compliant Commission and Special Tribunals to handle cases of corruption in both the public and private sectors of the economy\textsuperscript{8}. In the main the regime's reform measures did not lead to any 'revolutionary overhauling of the Public Service systems. So there was a fall back on the application of the norms that govern civil service under a parliamentary system - the British Civil Service System. Any contrary to the expectation, the defunct 1979 Constitution of the Federal Republic of Nigeria failed to really alter the existing one. This we shall discuss in details in lecture thirteen.

From the above, it is clear that the civil service that was in place during the Second Republic (1979-83) was the British Oriented Civil Service which we already discussed in the last lecture with its military disorientation, a civil service characterized by very low morale and grossly inefficient. In fact, it was queried whether a British oriented civil service proper attuned to parliamentary democracy would be adequate for a Presidential setting.

The type of civil service that was in place to service the Presidential system of the Second Republic and its relevant constitutional provisions,\textsuperscript{10} especially, those relating to the office of the Permanent Secretary were subjects of extensive debate during the period. This centred, mainly on the status and role of higher civil servants, whether or not Permanent Secretaries remained career officers.

So, apart from the 'sins' of the civil service which were not actually addressed as part of the constitutional engineering that was preparatory to the return to civil rule in 1979; the ambiguity in the 1979 Constitutional provisions in respect of the civil service and the actual operation .of the
civil service during the Second Republic, raised the issue of the appropriateness of the civil service system during that period. For instance, at the dying days of first term (1979-1983) of the Presidential system, Peter Pan wrote to acknowledge the civil service as part of the problems of the Presidency. To him, the "inherited civil service structure has been another handicap of the Shagari Administration..."

He poses the question as to,

"...whether the British Civil Service pattern geared to the Westminster-type government sufficiently ensures that Ministers can enforce the administration's political programmes under the American style of Presidential administration."

The inevitable conclusion from the above is that, the problems of the civil service in the country became a bigger issue as at the time the Second Republic collapsed. So the search for a new philosophy, a more appropriate and result-oriented civil service became one of the issues on the agenda of the post-Second Republic military governments.

Although, the eight-man Federal Civil Service Review Panel with Professor Dotun Phillips as Chairman was set up by the Buhari Military administration, as one of the numerous study Groups/Panel to consider some critical aspects of the national life, the change of government did not affect the rationale and the spirit for its establishment. However, given the commitment of the Babangida administration to transition to civil rule, the "confusion that has pervaded the Nigerian civil service since 1979 when Nigeria began Presidential democracy" partly informed the reviews and the subsequent changes. Hence, the Panels assignment and the Presidential Task Force on the implementation of the Civil Service Reforms set up in 1988 were guided by "the need to streamline the civil service along the line of Presidential democracy... to which the government is committed".

The reform was also inevitable as the Babangida administration like the Murtala/Obasanjo administration was said to have groused against the civil service especially the Permanent Secretaries. The President like most of his associates who were before 1985 'insiders' at varying degrees in Nigeria's public administration was said to dislike the civil service for its sluggishness. In particular, the President's experience with the civil service had been described as a "pile of negative vibration".
So, it was not surprising that the President overtly expressed his disgust with the civil service in his Address to Ministers and Permanent Secretary in his first Budget Speech.\(^{15}\) There and then, he did not mince words that, there was going to be a reform. His conviction as to the inadequacy of a ministerial organization for policy implementation in Nigeria, especially during a period of emergency, was explicitly articulated when he said: "We cannot... afford to allow the machinery of policy implementation to jog along to its leisurely pace..."\(^{16}\) while the reform was in the offing, the administration resorted to setting up many Advisory Councils and creating paralled policy implementation institutions-Directorate for Food, Roads and Rural Infrasctrucures (DFRRI), the Directorate for Mass Mobilization for Social Justice, Economic Recovery and Self Reliance (MAMSER), National Directorate of Employment (NDE), and-Task Forces-among others under the direct supervision of the Presidency to carry out specific policy commitments of the government outside the civil service framework.

Even outside governmental circles, a review of the civil service which arguably remained 'lofty and exalted' even after the purge and spectre of retrenchment was advocated. For example, a one time Secretary of the Federal Government, Alhaji Shehu Musa called for the "restructuring of the Nigeria Civil Service in order to remove the vestiges of parliamentary system of government" to make it "more result oriented and responsive to the Presidential system of government."\(^{17}\).

Apart from the developments outlined above, certain concrete objective conditions dictated by the level of performance, the familiar problems of the civil service and the commitment of the administration to the Presidential system of government dictated the changes. The views,\(^{18}\) of the so called 'Apologists of the system', 'the critics' and the Political Bureau which we already discussed are representative of the magnitude of the problems and the complexities of the Nigerian Civil Service.

**In Defence of the Nigerian Civil Service**

Without necessarily being an 'apologist' or a defender of the Nigerian Civil Service, it is arguable that the country's civil service before 1988 was no more than a victim of certain abnormalities in the country. And that, certain objective factors that were not the creation and were beyond the control of the civil service conditioned the appalling performance of the
civil service. More importantly, there is a limit to which one can blame the
civil service as the story of the country's institutions and actors have been
tales of woes administrations and Administrators, Politics and politicians,
Nigerian Governments and the Nigerian State have failed. In fact, the
culture of failures necessitated the current drive to evolving a new social,
economic and political culture in Nigeria.

The 'Outsider's View' of the civil service constitutes another basis for
our position here. Despite its pronouncing a verdict of failure on the
Nigerian civil service, the School of Thought was still fair enough to
recognize that the performance of the civil service in Nigeria should be
"understood and excused as the inescapable logic of the order in the civil
service which has been enmeshed..." over the years, "an order which by its
very nature, tend to concede the pride of place to the civil servant". The
'order' and circumstances under which the higher civil servants operate
which necessitated their over-stepping their traditional role have been well
articulated in both the 'Outsider' and 'Insider's' views. For example, it
could be posited if only counter-factually, that without the military in
Nigerian politics, a development which created certain 'opportunities' for
the Nigerian Civil Services would' have been different. Similarly, it could
be argued that, if the requisite supporting ethos for the operation of the
British Oriented Civil Service were in place-high calibre knowledgeable
and competent political executive the situation would have been different.
Also one could suggest that the rapid growth in size and responsibilities of
the civil services would not have necessarily led to a degeneration of the
civil service if the political atmosphere was conducive to its proper
development.

From these largely counterfactual propositions, the prevailing
circumstances and lack of requisite ethos partly explained the excessive
power, influence and other vices of the Civil service over the years. The
fact that "They have enjoyed virtually unchallenged the exercise of power...
...", is a failure of policy and politics.

Political Bureau's attributing the problems and failure of the civil
service to,

"the phenomenal growth in the size and
responsibilities of the Civil Service Bureaucracy, and
in particular the realities of the social, economic and
political situation within which it operates."
On the one hand, its comment on the ineffectiveness of the civil service and its impact on national development, that,

"... the responsibility and effective bureaucracy (is) tied up with the nature of the Nigerian society, its value and its goals... in a capitalist society such as Nigeria, the responsibility and effectiveness of the public service bureaucracy have been largely directed towards furthering the goals of capitalist accumulation by foreign multinational corporations and their Nigerian counterpart."

On the other hand seems to have captured and capsulized the defence that is being put up here in favour of the civil service.

So, if anything, the civil service failed or was caused to fail by the failure of the Nigerian state. By this position however, one is not ruling out the fact that the internal dynamics and certain corporate or group interest in the civil service were pot contributory to the negative performance of the civil service or to the civil service becoming an over-pampered institution.

The Direction of Change

Arising from the above is the need for not only a revolutionary change in the Nigerian Civil Service but also in the basis of the Nigerian State. Thus, a civil service reform that would generate a new state of affairs thereby, negating the pre-1988 atrocities of the Nigerian Civil Service has to be effected within a new national framework. In this case, the civil service has to be reworked within the framework appropriately articulated by the Political Bureau - "a well defined, properly articulated and popular philosophy of government..", "a new political economy" and "a new political culture". It is within this new framework that the re-orientation and restructuring of the civil service could be meaningful. Without the above framework, which are capable of generating new ethos and discard attitude and behaviour that were incongruent to effective performance of the civil service and the state, the civil service would 'not play its proper role in the political system.
The Elements of the Reform

The central elements of the 1988 changes in the Nigerian Civil Service that was made public in Military President Babangida 1988 (January) Budget Speech and became effective in April of the same year were a product of the Report (The Nigerian Civil Service in the Mid 80s and Beyond) of a Study group - Federal Civil Service Review Panel - inherited by the Babangida regime from the Buhari administration.

The Panel which was set up in 1985 was to re-examine the service structure, determine the extent of over-staffing, operational style and ability to cope with the demand of government in the 80s and beyond was later to be guided under the Babangida administration by the "need to streamline the civil service along the line of Presidential democracy..."Thus, as it was rightly observed, "one of the greatest inspirations for the restructuring’ is to make our administrative machinery consistent with the philosophy of presidentialism."

As made explicit by Military President Babangida, the fundamental changes in the Nigerian Civil Service relates to:

"a. The Ministry: The Minister will now be both the Chief Executive Officer, rather than the Permanent Secretary".

"b. Tenure of Office: The Permanent Secretary's appointment is already political, and its duration is at the pleasure of the President. Henceforth, holders of that position will retire with the Government which appoints them unless, of course, an incoming administration decides to re-appoint them, it follows that any officer who is offered the post of Permanent Secretary may have an option whether or not to accept it".

"c. Professional Service: Each Ministry will now be professionalised. Every officer whether a specialist or generalist will now make his career entirely in the ministry or Department of his choice, and thereby acquire the necessary expertise and experience through relevant specialised training and uninterrupted involvement in the work of the Ministry or Department."

"d. Federal Civil Service Commission: Under the new arrangement, each Ministry will undertake the appointment, discipline and promotion of its staff under general and uniform guidelines to be provided by the Federal Civil Service Commission".
The above elements which constituted the bedrock of the assignment of the Presidential Task Force of the Implementation of the Civil Service Reforms are being effected in with some degree of success at all levels of government in Nigeria. Its provisions have also been entrenched in the Constitution of the Federal Republic of Nigeria 1989.

Criticisms and Adequacy of the Reform
The attempt at revamping the civil service as evident in the above is novel if compared to previous reforms as it did not end up in marginal tinkering within the existing (former) pattern. It is essentially a transformation of the structure and organization of the civil service, it is indeed an upturn of the status quo-the British Oriented Civil Service. In fact, the view was expressed that to many civil servants "brought up and nurtured under the "traditional dispensation", some aspects of the changes "were obnoxious and even touched on the bizarre".

While in general terms, the changes enunciated by the President have as their central aim reorganization and re-orientation of the country's civil service to make for better performance by being more responsive to the government goals and programmes, they are as a package defective. This in part might be due to the Panel's terms of reference and the drive for a new order as a distinct policy by the administration. A critical reading of the relevant documents indicates that the package is essentially an in-civil-service reform, a mere removal of structural, particularly political constraints; a sort of mechanistic change. Though, it transformed existing organizational structure, it is not as superior to previous reforms as it neglected the need for change in the environment for its operation. This being the case, the changes missed the point. Perhaps, this is taken for granted given the commitment even if only in principle of the government to a new order in Nigeria, as assignment being handled by the Directorate of Social Mobilization.

Nigeria's political economy (among others) which has been identified as the bane of the Nigerian society and its civil service constitutes another ground for the inadequacy of the changes. Most of the studies in this area tend to attribute the 'self-serving role of the civil service' and 'its irrelevance to national development to the prevailing neo-colonial political economy' which 'promotes private accumulation of wealth' and determine the content of public, Relying on this approach, I. N. Obasi concluded on the adequacy of the changes that:
"On the whole, Babangida’s civil service reform of 1988 (like the Udoji reform) is defective on one fundamental ground. It is a liberal package which offers superficial solutions to fundamental problems that require radical attention."

It could then be argued on the basis of the political economy approach with, the following assumptions of the changes that:

i. the fundamental problem has to do with lack of professionalization, absence of effective (stringent) punitive measures, poor management techniques and practices; weak political (ministerial leadership and weak institutional mechanism for public accountability and probity that is, factor that are internal to the civil service;

ii. ministers are born-saints while Directors-General are villains;

iii. both the ministers and top civil servants are not under the same influence of the prevailing socio-economic structure which promote self-serving interests at the public interest;

iv. civil servants would be interested in applying new ideas to solve challenging problems when confronted with a situation that would threaten their selfish interest;

v. behavioural orientation of the civil servants could be divorced from the dominant influence of the prevailing political economy;

vi. civil service is not an essential part of the larger corrupt Nigerian society;

vii. corruption is primarily caused by greed and sheer selfishness rather than an inevitable product of the prevailing crude capitalist system; and

viii. those who are to fight corruption in the civil service are above board or are uninfluenced by the dynamics of the capitalist system are false. To this extent, the conclusion that, the changes are inadequate to cure the vices and problems of the service is again validated here.

From the above it is logical to conclude that the changes are not sufficient to solve the problems associated with the Nigerian Civil Service thereby, engendering a functional civil service system. So, a lot depends on the extent to which the new order which the present administration proposes, emerges in Nigeria. It is the emergence of the new order that can
create the requisite supporting ethos for the changes both within the civil service and the society at large.

By conception, the various changes described above are expected to make the country's civil service more relevant to the challenges of development now, during the Third Republic and beyond. The totality of the reforms therefore suggests the emergence of a new civil service system capable of bringing about a new state of affairs - elimination of the known inadequacies in the civil service and development.

Certainly, the implications of the changes are multifarious and have social, economic and political dimensions which could be positive or negative on the civil service and/or the whole society. Before one discusses the implications of the reform package, it is pertinent and indeed more rewarding to discuss in respect each of the changes.

a. **Minister as Chief Executive and Accounting Officer**

As explicit in the package, the Permanent Secretary lost his powers and functions as the Chief Accounting Officer to the Political Executive who was before the Chief Executive. With this submission of administration to politics, the change terminated a fundamental source of conflict in the former order. The Political Executive now has 'absolute control and responsibility for the ministry's human, financial and material resources. Under this arrangement, the Director General (as the Permanent Secretary is now called) is not expected to be 'obstructive' of policy formulation and implementation.

'The expectation from this is the enhancement in the status of the political executive and a situation where "the person who is politically responsible for government policies is equipped with the administrative and financial power to back up that degree of responsibility". The Permanent Secretary is thus prevented from exploiting his position as the Chief Accounting Officer to stall the Political Executive from achieving the stated goals of the administration. In general, accountability, responsibility and control will be enhanced.
The change therefore makes possible,

“one major pre-requisite for maximum effectiveness in any organization, which is that, "the locus of responsibility for the performance and fortunes of the organization should never be separated from the locus of the authority of command and control of the locus of the resources of that organization.”

As President Babangida noted while swearing in the newly/appointed Directors-General,

“with the removal of the old dichotomy between the old Permanent Secretaries as civil service appointees and the Minister as political officers, the old suspicion and ambivalence which had characterized their relationship hitherto should disappear. The Minister and Directors-General must now end the suspicion and sometimes even hostile relationship of the past and regard each other from now on as members of the same team, working for the same government and the same nation.”

Also, with the reform, there is no longer any doubt as to who can 'truly be' held responsible for the performance of government in a Ministry' as it put an end to the previous practice of passing the buck and it is hoped that "the chances are radically higher that government policies would be better implemented".

However, if one takes cognisance of the quality of past political leadership with the possible exception of the present where there is primacy of professional or competent hands in political executive post, this policy may be counter-productive. To prevent this, there is the need to consciously institute a system where ministers are knowledgeable and experienced of not only the civil service regulation and procedures. The counter-productiveness of this aspect of the restructuring might be heightened given’ the fact that Directors-General might come from within or outside the civil service. This might result in a situation where the Minister and his Director-General are mediocres, likelihood under the civilian administration.
Also, the subordination of administration to politics might not necessarily be the case. Even in a situation where a Director-General was appointed from the corps of Directors of Departments, it is still possible for the primacy of a Director turned to Director-General because of his training, experience and knowledge unless the political executive so appointed is equally knowledgeable and has the time and ability for the responsibility of his office. Barring the appointment of the right people to political executive incoming administration. This policy which is undoubtedly consistent with the philosophy of presidentialism has some negative consequences on the civil services, policy and governance. It can short-change the civil service careerists. Since the Director cadre is the highest in the career. Given the tenure of a Directors-General a young serving Director, might be reluctant to take on such appointments as it may lead to early retirement, more importantly, giving the seemingly high level of political instability in Nigeria. To these corps of civil servants, to remain in the service might not be a viable option. On the other hand, the civil service proper may be politicized by opportunist who want to be Directors-General thereby making the politicization of the entire civil service imminent. Generally speaking then, this provision can install wrong people or mediocres and opportunists from within and outside as Directors-General.

While this provision terminates powerful Permanent Secretaries without responsibility, it disregards the significance of the need for continuity in government. It may terminate the knowledge and experience of a competent administrative corps that keeps government going especially at abnormal times. Since it is the case that the most senior Director takes on the functions hitherto performed by the Permanent Secretaries, there is nothing to cheer about on this aspect of the changes. Thus, if the situation that favoured the primacy of the Permanent Secretary arises, the sky is the limit for the most senior Director. Positions, the Director of General might be in real control with the Minister taking care of politics and public relations while still having the ultimate responsibilities to be cumbersome. As a matter of fact, a dedicated Minister still has to delegate a lot of functions to his Director-General.

Although, it is being suggested that the reforms terminated a "major location of conflict” between the political executive and the civil servants (particularly the Permanent Secretary) as the latter has been detached and reconstituted into a bridge between the rulers and the service", in its wake
substituted conflicts of new varieties. In-built in the changes is the possibility of intra-civil service conflicts as Directors heading the various departments are to relate horizontally. There is also the possibility of conflicts between the Political Executive and Director-General who just like the Minister has political backing and recognized as the former's deputy and junior partner with both having a stake in the administration. In the final analysis, both of them have executive powers and are ultimately responsible to the President.

b. Politicization of the Office of the Permanent Secretary

Under the changes, the tenure of office of the Permanent Secretary turned to Director-General is conterminous with that of the regime. His re-appointment is dependent on the Chief Executive.

One other serious aspect of this change is the loss of the coordinating role of the various departments thereby hampering the aggregate competence of the decision making corps of the service”. This is certainly inimical to the service and public policy. It even complicates the decision making process as the Director-General has to relate to various departments for policy formulation.

Lastly, the high attrition rate in respect of turnover of Director-Generals imposes a colossal loss on the country. Apart from sapping the service of much needed manpower, its loss in term of the number of skilled, experienced and professionals that would be thrown out with any change of government is unquantifiable. Augustus Adebayo recently estimated that about 600 Director-General might be dispensed with every four years under the Presidential system of government. This aspect of the reforms may lead to corruption to ensure the likelihood of loss of job by the Director-General  

c. The Professionalization of the Civil Service

As Phillips noted, this aspect, of the reform implies that,

“all civil servants are now to perform specialized or professional functions and are to spend their entire career in their respective ministries.”
and that, this would terminate the 'practice of posting civil servants from one ministry to another...' apart from stopping "the practice of maintaining central pools of some cadres of civil servants..."  

Under this arrangement, each ministry is provided with a cadre of officers who have the relevant skills, knowledge and continuity of experience for effective tackling of the ministry's problem. This will certainly enhance performance. While this aspect of the reform can curb incessant movements that had tended to disrupt, policy formulation and execution; enhance effectiveness and 'inter-professional team work thereby putting an end to the advantage of generalists over specialists. The restriction of civil servants to one ministry is problematic. It has the possibility of reducing the level of cooperation between and among ministries and prevents the advantages that accrue from experience gathered in the course of such movements. The narrow exposure of civil servants can complicate the 'civil service process, more so when there is no integrative authority below the Director-General.

The consequence of professionalization-the de-activation of the office of the Head of Service coupled with the vesting of powers of promotion, appointment, discipline, transfer and civil service welfare in the ministry - exposes the whole of the civil service to politics. In the final analysis renders the civil servants 'orphans'.

The new dispensation however, benefits the civil servants in that, its professionalization enhances career prospects as it broaden opportunities at the apex. For example, each ministry now has about eight departments each headed by a Director on salary Grade Level 17 (at the Federal level) a remuneration that was the preserve of only one Permanent Secretary in each ministry. So, the professionalization of the ministry is not without economic costs - in terms of training and salaries. This increases cost of public administration.

d. Ministry Undertaking the Appointment, Discipline and Promotion

Before the changes, the functions of appointment, etc. in the civil service were vested in a central body (commission). With the changes, the role of the Federal Civil Service Commission only includes the recruitment of certain categories of officer (Grade Levels 07-10) and setting up of uniform guidelines to be followed.
by the Personnel Management Board and its Committees that take over its functions. With the new role of the Civil Service Commission, the problem of merit and representation (federal character) is likely to be more exposed; while unfair treatment of civil service personnel, unequal prospect within the service. The civil service might therefore end up managing crises.

From all the above, it is clear that the implications of the changes are not necessarily positive and promotive of better performance. A lot depends on many factors within and outside the civil service. Generally, the changes have the potential for enhancing the civil service performance but to a mediocre level.

Summary

1. The civil service in Nigeria before the 1988 reforms was counter-productive and failed to promote expected development.
2. The British Civil Service model remained even under the 1979 Constitution that ushered in the Presidential system of government.
3. The reform was necessitated because of the problem of Nigeria's Civil Service and its inappropriateness to service a presidential system of government.
4. The relevant means of the reforms are in respect of the Minister becoming both the Chief Executive Officer rather than the Permanent Secretary and Accounting Officer, the non-permanent nature of the office of the Permanent Secretary (Director-General under the reform) Professionalization of the Civil Service and the decentralization of the functions-appointments, discipline and promotion of the Federal Civil Service Commission. These functions are to be performed by each Ministry while the Commission only provides guidelines.
5. The reform, although is considered desirable, is nevertheless defective and left unresolved some of the problems of the civil service.

Things to do

a. Find out the changes that came as a result of the reforms in the civil service of your state.
b. Read more about the changes from available sources, for instance magazines and newspapers especially the implementation problems and criticisms.

c. Suggest improvement to the reforms.

Post-Test

1. Do you consider the reforms necessary?
2. What are the elements of the 1988 reforms?
3. How adequate are the elements of the reforms bearing in mind the problems of the civil service?
4. What improvements would you suggest to the reforms?

References

5. Fifteen Anniversary of Independence Message by General Murtala Mohammed.
6. Ibid.


13. The Task Force on the Implementation of the Civil Service Reforms was set up in February 1988 to among others identify from the Dotun Phillips report 'additional reforms that should be undertaken in order to implement the policy'.


17. New Nigerian (kaduna) 23 November, 1987


27. Ibid.
28. Ibid.

29. The Pro Chancellor of the Ondo State University; Ado-Ekiti, a one time Secretary to the Western State Government (defunct) expressed this view on, Nigerian Television Authority, current Affairs programme-Issues of the Moment, Report on Daily Sketch (Ibadan), August 20, 1990.

LECTURE TEN

Public Enterprises in Nigeria

Introduction
This lecture and the next address one of the most important aspects of Nigeria's public administration-public enterprises. It is a very problematic and topical issue in contemporary public administration in Nigeria. The privatization and commercialization strategies aimed at solving the problems of public enterprises in Nigeria. The problems of public enterprises in Nigeria are also very controversial even after the official commitment to the policies by the government.

Objective
The aim of this lecture is to let you understand the meaning, significance, nature, performance, problems and prospects of public enterprises-public corporations and parastatals in Nigeria. Our discussion here shall provide the basis for understanding our concern in the lecture.

Pre-Test
1. What are public enterprises?
2. Is there any difference between public enterprises, and each of these concepts-public corporations, ‘parastatals’ and ‘State Companies’?
3. Why are they set up?
4. Give five examples of public enterprises.
5. Can there be any justification for them in Nigeria?
6. Have these establishments performed well in Nigeria?
Strictly speaking the term “public enterprises” is a broad concept. It denotes, according to the New *Encyclopaedia Britannica* “an organization operating (or supposed to be operating) on commercial principle, wholly or 'party owned' and effectively controlled by a public authority.”

A public enterprise may be a new establishment or certain or "Owe its existence to the nationalization of a privately owned concern". Its main functions may be:

“the provision of some "infrastructural services... the direct manufacture of a commodity, or the extension of certain forms of assistance... to enterprises in the private sector."

Given the objectives, characteristics and reasons for public enterprises and more importantly its engaging in the sale of its goods and services to private or corporate consumer, "it normally needs to be organized and controlled in ways that are different from those applicable to ordinary non-commercial agencies”. It requires a certain measure of operational freedom and immunity from persistent governmental intervention in its operations.

Basically, the reasons for locating enterprises in the public sector which a public enterprise entails are:

- fiscal, that is, to earn revenue for the government
- strategic, that is, the need for certain nationally important activities (for example, defence, currency) to be the direct responsibility of the state.
- principle of collective benefit, since the service of some of these are essential for all, for example, public utilities like water, electricity, etc. it is best provided by the state.
- principle of social objective, that is the need for government to discharge its social responsibility for the citizens.
• principle of exclusion, that is, the need for national monopolies in the provision of certain services given the scarcity of resources or because they would not normally be provided by private establishment possibly because of enormous capital outlay.

A necessary consequence of the last three reasons/objectives is the "economies of scale" as there is the likelihood of having "a firm of the efficient size" charged with the provision of certain goods or land services as against two or more competing forms.

**Forms of Public Enterprises**

Basically, there are two types of public enterprises namely the Public Corporation and the State Company.

Like most concepts in the Social Science "there is not... a generally accepted definition of the government corporation". Nevertheless, certain consensuses are evident on what a public corporation is.

For example, William J. Granges states that Public Corporation "is an artificial person which is authorized by law to carry on particular activities and functions." In his own case, M.B. Dimmocle views it as

\[
\text{a publicly owned enterprises that has been characterized under federal, state or local law for particular business or financial purpose.}^2
\]

And lastly among other, A.H. Hanson opines that public corporation

\[
\text{is an institution operating services of an economic or social character on behalf of government but enjoying an independent legal entity; it is largely autonomous units management through government and subject to some direction by the government; it is equipped on the other hand with independent and separate funds and the legal and commercial attributes of commercial enterprise}^3
\]

He added what could be regarded as the most important, overall justification or significance of public corporation that;
whatever the ultimate perspective may be, the country which is anxious to develop economically has no alternative but to use public enterprises on a considerable scale, at the very least in order to get things done.4

One can then summarize by stating that public corporations are owned by the state, normally created by law which stipulated its functions, form of management and relationship with governmental authorities. As a corporate body, it has perpetual existence, can hold property, sue and sued. Although, financed by the government, it has to meet its current cost and does not necessarily have to run at a loss. It is not also expected to make abnormal or supernormal profit as in most cases especially those providing public utilities. They are expected to charge social as distinct from economic cost.

Furthermore, public corporations have separate budgets and are exempted from "the normal regulations applicable to the expenditure of public funds..." Its employees, are not normally civil servants and their recruitment, promotion and discipline are internal to the corporation. This is however, "subject to whatever general legal regulations may be applied".1

The second type of public enterprises, that is, the state company, is an alternative to public corporations.2 As noted in the New Encyclopedia Britannica (Ibid, p. 350) when this type of enterprise is used:

"the law relating to ordinary joint-stock company... is applied to the enterprise, and public control is ensured by the government's exercise of shareholding rights."

Generally speaking, it is the public corporation that is more popular and more frequently used for utilities. "The state company is favoured when the government engages in manufacturing industry and not essential goods and services."

The administration of these establishments is vested in the hand of a Board of Management and Minister. The Board is more of a number of members with a chairman, under the Board is the Management under the control of a general manager appointed by the Board charged with the
effective conduct of the day-to-day business of the enterprise. And lastly, the Minister under whose ministry the activities of the enterprise falls provide the political leadership and direction. The Chairman is expected to refer to the Minister any matter attracting public interest for approval. So also, "any programme of re-organization or development involving substantial capital outlay" are subject to his approval. In general, the Minister has power "to give directions of a general character regarding the discharges of a Corporation functions" or issues of grave public importance. The Board is required to give effect to all such directions. So, all powers appear in practice to be with the Minister.

With the above general introduction we can now go to discuss with particular reference to Nigeria.

Public Enterprises in Nigeria
Public enterprises in Nigeria, especially Public Corporations, the common form especially until comparatively recently (before privatisation and commercialisation policy which commenced in 1988) were established for reasons, purposes and have the characteristics discussed above. However, the development of public enterprises in Nigeria could be said to be evolutionary and largely dependent on the country's economic and political development. In the main, it owed its origin to British influences, Nigeria being a former British territory.

The earlier public enterprises in Nigeria emerged from the conviction of the colonial government that the activities of such enterprises were not best conducted within the formal governmental bureaucratic set-up. Thus, the earliest public enterprises, for example the Nigerian Railway as was then called. As M.A. Tokunboh noted, the Nigerian Railway Corporation was before 1955 when it was incorporated as a public corporation, was being treated as "a special department and represented only through its General Manager or the country's Legislative Council'. The decision to make it a public corporation was due 'to the discovery that it could not be effectively managed as a government department.

Other public enterprises in Nigeria that are business organizations, for example are, the defunct Nigeria External Telecommunications (NET) now Nigeria Telecommunications Limited (NITEL) were created by the government to provide certain special services, for example, the Nigeria National Supply Company (NNSL)
The above differing background for the emergence of public enterprises coupled with the fact that Nigeria is said to present "a workshop of diversities in their history, growths and objectives; the pattern of development and expectations" and lastly, the sheer number of such enterprises \(^1\) make it "difficult to generalize. in respect of the operations, management and performance of these enterprises in Nigeria. However, available assessment of virtually all of them point to the fact that they have at best recorded a mediocre level of performance as they were neither making profit nor were they efficient and effective.

**Explaining the Increase in Number of Public Corporations**

One astonishing aspect of Nigeria's public enterprises is the dramatic increase in their number and the varieties of activities they engage in. The phenomenal increase in the number of public corporations in Nigeria is attributable to some factors. One, the most important was the 'oil boom' which increases government solvency and capacity to dabble into many activities.

The second is the increased demand for some new forms of services and functions by the citizens. The third among others is the creation of more states which necessarily increased the number of these enterprises as each state established, floats in, its own enterprises.

In respect of the second development, governments especially at the federal level started to dabble into activities like insurance, hotel, agriculture, distribution, breweries etc, that are best left in private hands.

**Performance of Public Corporations**

While the above developments might not be unhealthy per se, as they are potential source for bringing revenue for the country, in recent times these enterprises are said to be officially (especially from 1985) pronounced to be drains on public funds. As Professor Aboyade noted as far back as 1973,\(^1\) these enterprises generate low and in most cases negative returns to capital among other problems. And very recently, the financial indicators of performance of these enterprises are discouraging. For example, as at October 31, 1985, a total investment of loans and equity of \(\text{₦}23\) billion was invested in the Federal Government enterprises with less than \(\text{₦}400\) million in returns. This is indicators given that a 10 percent profit margin which at least most private sectors record should have fetched the country...
at least ₦2.3 billion. Apart from this, their services are appalling. For example the Nigerian Electric Power Authority (NEPA) is noted more for 'darkness' than generating and distributing electricity in the country.

The inference from the above is that these enterprises have faced and have lost their social relevance and desirability in their present forms (before privatization and commercialization). The concern over their performance have grown in recent times because of the dwindling economic fortune of the country and its consequence of government's liquidity problem which makes it difficult for government to continue to give subvention to these corporations as it used to do. Thus, these enterprises which were in the past merely required to break even from year to year as was normal in government, by way of recurring estimates or could even run at a loss because of their social objectives are now expected to make profit or at least be self-sustaining.

Why have these Enterprises failed?
Our concern here is to explain why public enterprises have failed to perform in Nigeria. In doing this, we shall rely on conclusions drawn from existing studies.

The reasons for the failure of these enterprises are multifarious. They have conceptual, management cum operational, structural, financial, personnel, etc., dimensions. 

These are outlined as follows:

a. The conception of the objective or raison d'etre of public enterprises is service.

b. Administrative problem: There is said to be some confusion on the state of power sharing between the Board of Management and Minister. In most public undertakings, the pattern of conflict always involves the first two. This is because the Board Chairmen are not executive Chairmen while general managers are designated chief executives. This has developed to a situation in which the Chairman believing he is in control gives order to the general manager with the latter resulting as he thinks he is the executive authority.

c. Personnel: In most cases especially the earliest public enterprises, the bulk of their employees were drawn from the civil service and their Boards of Directors composed of civil servants and retired
officials. So the civil service carried into the establishments their civil service "rights, conditions, privilege, attitude to work and orientation" which are not necessarily compatible with the requirements of these enterprises. In fact the activities of these enterprises are best conducted outside the civil service ethos. As a matter of fact, it is the realization of this that prompted their creation outside the strictly government bureaucracy. So, contrary to expectation, the orientation of the enterprises and their employees was *ab initio* civil service. This necessarily creates operational problems, problems of performance administration and management for these enterprises.

Relating to the personnel problem is the inadequacy of required skilled personnel apart from the problem of political recruitment and 'federal character'. There is also the poor attitude of workers to work.

d. Political interference usually through the Board of Directors- Also, it is argued that since in most cases, the directors are political appointees and are put there in most cases to better their lots, the Board members usually take undue advantages of their membership to amass personal gains. A lot of unethical practices like taking loan from the enterprise to build a house(s), offices and letting same out at extremely higher rent to the enterprise with many months if not years advance payment. Board Chairmen and members have a distorted...view of themselves and their role, they therefore tend to "constitute themselves into a special class" with undue privileges and facilities which do not normally apply to others including other top management officials.

a. Lack of incentives and motivation to workers to make them more productive and stay with the enterprise.

b. Lack of conducive working environment and lack of tools and spare parts to be efficient and effective.

c. Financial problems usually due to insufficient subvention from the government as they rely mainly on government.

*Structural*: The structure of these enterprises is monolithic thus, it is very cumbersome for the management to effectively monitor performance.
On the whole, the public enterprises are said to be characterized with "absence of independence and of action generally" and the need to be liberated from the various strong grips and problems that have Political interference usually through the Board of Directors. Also, it is argued that since in most cases directors are political appointees and are put there in most cases to better their lots, the Board members usually take undue advantages of their membership to amass personal gains, A lot of unethical practices existed which stifled performance.

From the above, it is glaring that the tale of public corporations in Nigeria is that of lack of performances, inefficiency and ineffectiveness. And as a matter of fact some of them have been victims of extreme criticisms as a result of their dismal performance.

**Attempts at Making Public Enterprises Perform**

The problems discussed above are as valid now as over two decades ago, so, the problems of Nigeria's public enterprises could be said to be endemic.

Also the concern by successive governments in Nigeria is as old as some of these enterprises; we shall in this part of our discussion address some of the attempts that were made to enhance the efficiency and effectiveness of these public enterprises,

The problems of public enterprises were addressed by the Udoji Public Service Review Commission in 1973. The Commission which was set up and charged with the responsibility of renewing the whole public service identified numerous problems affecting not only the public service in general but its public enterprises. Most of the problems were along the lines already discussed above but with emphasis was on the recruitment of the best management talents based on a mode of selection based on successful competition of appropriate senior management training and that the selection and training should take place before the officer reached the senior management level. Like most other recommendations before the Udoji Commission, not much was achieved through its recommendations for enhanced performance of public enterprises in Nigeria. There was also no major attempt at reforming public enterprises until during the Second Republic.

The defunct 1979 Constitution of the Federal Republic of Nigeria provided in its Section 16 for the judicial responsibility of the state. The
section contained provisions that enunciated certain economic objectives that require a virile public enterprises system.

Its Section 16(1) (a) states that the state will control the national economy in a way that is capable of securing 'the maximum welfare, freedom and happiness, for every citizen' on the basis of social justice and equality of states and opportunity. Government intervention in the national economy and in the provision of the basic essentials capable of ensuring the above therefore became very crucial for the attainment of this economic objective. The section 17(1) of the 1989 Constitution also provides for a similar provision. It is therefore not surprising that the Shagari administration gave some attention to the issue of the poor performance of public corporations, parastatals and enterprises in Nigeria. The Federal Government in May 1981 appointed a Presidential Commission on parastatals chaired by Mr. G.O. Onosode.

Unlike the Udoji Commission with a very wide and general mandate - a review of the whole public service, Onosode Commission's main task was the Review of the Performance of Public Enterprises in Nigeria.

The Commission addressed the salient issues - management, relationship between the management and the government, the organizational structure, delegation of authority, decentralization among others relating to the performance of public enterprises in Nigeria. The Commission's recommendations which were largely accepted were along the line aimed at solving the various problems of public enterprises.

However, beyond the marginal tinkering of the problems, the recommendations were along broader framework of revamping the economy. In fact, the privatization programme has been attributed to the Onosode Commission.

The Buhari administration also gave some attention to the problems of Nigeria's public enterprises particularly in the face of continuing crippling economy. They therefore appointed a study Group on Statutory Corporations and state owned companies to review financing, profitability and performance records of public enterprises and ventures. The Group handed by Ali-Ai-Hassan, the then Managing Director and Chief Executive of the Bank of the North submitted its Report on November 29, 1984. The Group identified the following long list of problems of public enterprises in Nigeria - These are:
“vague and conflicting objective, inadequate autonomy, inflexibility in the decision making process, inappropriate capital structure, underutilization of assets, absence of good credit control system, inability to collect debt, lack of adequate cost control measures, ineffective and inefficient management, information and accounting systems absence of financial operational performance target and staffing”

The most important aspect of the Commission's recommendation was its unequivocal recommendation of selective privatization as a possible solution or a strategy for ameliorating the problems enumerated above.

These later attempts at finding solutions to the problems of public enterprises were being made at a time when Nigerians and their governments were convinced that the economy was in bad shape and that something drastic should be done to avert a total collapse. Also, during this period, the marginal tinkering via 'austerity' measure initiated by the Obasanjo administration in 1978 was ineffective. So nothing short of restructuring was required.

So, the realization and the recognition and indeed the commitment of the Federal Government to the Structural Adjustment Programme designed to arrest the controversial deteriorating balance of payment situation reduce the budget deficit of the government liquidity problems and ensure a self-reliant economy suggested a change from wanting to reform public enterprises within the framework of state ownership.

The Structural Adjustment programme in itself has so many policies trust among which was the adoption of measures which were designed to stimulate domestic production as well as the broadening of the supply bases of the economy. Also, it involves the dismantling of the complex administrative and bureaucratic rigidities with a view to promoting industrial diversification and privatization of public sector enterprises with the ultimate goal of promoting efficiency and effectiveness.

Thus, given the state of Nigeria's economy, its inadequacy to sustain the losses of and subventions to these public enterprises, the issue of finding solutions to the problems of public enterprises necessarily took a new dimension. Thus, the privatization and commercialization options, adopted in 1986 with a legal basis in 1988 became the vogue. These we shall discuss in details in our next lecture.
Prospects of Public Enterprises

With the inception of the privatization and commercialization policies, policies aimed at promoting efficient and effective services at the expense of the philosophy for setting up these enterprises in the first instance, one can state that the public enterprises are dying gradually in Nigeria.

Both privatization and commercialization entails the substitution of service motive and its consequent socially oriented charging policies of public enterprises with market orientation which emphasizes efficiency and effectiveness while charging economic costs.

The adoption of privatization and commercialization policies and their attendant consequences have the implication of spelling doom for the majority of Nigerians especially the poor. If all the services are still being provided under the policies, they might not be within the reach of the generality as they may not be able to pay. This possibility is based on the profit motive of private investors that now takes over the privatized companies. Even when commercialized under government ownership, the plight of the people is not necessarily better off as social charges would be the order of the day. So, the burden of withdrawal of subsidy and the charging of full or economic costs by the commercialized companies as we are witnessing the case of the Nigerian National Petroleum Corporation increasing the price of fuel is being borne by the people.

Beyond the charging policies, the sale of the enterprises might terminate the provision of certain services which might be essential for people welfare.

However, one should note that the policies are being done discriminately. Not all public corporations are being commercialized or privatized. Some are being done partially while some are not being privatized or commercialized at all. Thus, one can say that it is the extent to which privatization or commercialization is being effected that determines its impact on the people. Thus, an attempt at privatizing or commercializing most or all essential services would not augur well for the people. Similarly, it would not be in the interest of the people for the viable enterprises to be privatized. The position being taken here is that contrary to the current position whereby the government seems to have made up its mind to sell regardless of performance, only sick enterprises should be sold. A viable and profitable enterprise can generate revenue for the government than for private individuals. Some of the enterprises being
sold for example, African Petroleum Ltd. sold in 1989, gives one some concern as it was perfectly alright.

One should not end this part of our discussion without noting that the problems of public enterprises are still very much with us and have to be solved in order to make those not being privatized or commercialized efficient and effective. Thus, given the fact that some enterprises are not being sold off or commercialized, it means that the challenge of enhancing performance of public enterprises is still there, more so, when some of those not being privatized or commercialized are also strategically important to national development.

Lastly, there is a development which demeans the commitment of the governments at all levels to the privatization and commercialization policies. This is the recent development in which the governments and their agencies continues to vote new enterprises e.g. involvement in Mass Transit programme while at the same time similar ones are being privatized or commercialized. Details of the above which we shall discuss in the next lecture therefore suggest the inadequacy if not the inappropriateness of privatization and commercialization policies as solutions to the problems of public enterprises in Nigeria.

Summary

1. Public enterprises in Nigeria like are set up to provide essential goods and services for the people.
2. The development of public enterprises in Nigeria was evolutionary and largely dependent on the country's economic and political development.
3. Over the years there was dramatic increase in the number and varieties of activities the public enterprises engaged in, in Nigeria.
4. Public enterprises in Nigeria have failed for various reasons which relates to finance, management, excessive political control manpower etc.
5. Various attempts at making public enterprises efficient and effective failed to yield any returns.
6. In recent times, the solution to the problems afflicting public enterprises has gone beyond marginal within existing ownership, financial and management structures. The vogue now is privatization and commercialization of these institutions coupled
with the re-organization of those that are being retained of their strategic importance.

Things to do
a. Read more on public enterprise, functions, funding, problems, control etc.

b. Attempt a case study of a public corporation. Find out its purposes, the extent to which has attained its goals, problems and solutions

c. Examine the appropriateness of privatization or commercialization to the case in (b)

Post-Test
1. Can there be justifications for public enterprises in Nigeria?.
2. Why have public enterprises failed in Nigeria?
3. How can the problems of public enterprise be solved?.

References
4. Ibid.
6. NET was taken over not because of its profitability but because of its strategic security importance of its service.
7. Ibid, The NNSC has been wound up.
LECTURE ELEVEN

Privatization and Commercialization in Nigeria

Introduction
This lecture which is a follow up of our discussion in the last lecture 'Public Enterprises in Nigeria' aims at introducing you to the concepts 'Privatization' and 'Commercialization' and the rationalization of these as ways of solving the persistent problems of public enterprises in Nigeria, in order to make them more efficient and effective.

Objective
At the end of this lecture, you are therefore expected to be able to discuss:

1. the meanings of 'privatization' and 'commercialization';
2. the differences between them;
3. background to privatization and commercialization in Nigeria;
4. the bases for privatization and commercialization in Nigeria;
5. the way they are being effected;
6. the problems and prospects in the Nigerian experience and experiences elsewhere;
7. advantages and disadvantages of privatization and commercialization in Nigeria; and
8. what has been the result of privatization and commercialization elsewhere?
Pre-Test
1. Have public enterprises performed well in Nigeria?
2. What are the problems of public enterprises in Nigeria?
3. What solutions would you recommend to solve them?
4. What do you understand by 'Privatization' and 'Commercialization'?
5. Mention some of the public corporations which have been privatized or commercialized in Nigeria at the state and federal levels
6. Do you think privatization and commercialization adequately solve the problems of public enterprises you identified in (b).

CONTENT
For us to properly understand the concepts of 'privatization' and 'commercialization' and more especially why Nigeria is adopting these measures in respect of her public enterprises, one has to have a good understanding of the performances, failures and problems of the country's public enterprises. This is because, privatization and commercialization could be seen and are indeed attempts at solving the persistent problems facing these enterprises especially in the areas of management, finance, control and performance among others. Some of these have been discussed in the last lecture.

However, since the two concepts are different in meaning and application, it is appropriate to first of all attempt a discussion of each - meaning, types or forms and reasons for adoption.

a. Privatization
In general terms, privatization can be viewed as the process by which ownership and/or control of government agencies or establishments set up privately, to provide certain public goods and services most of which are essential services are transferred to private individuals or concerns. This normally involves government selling the corporations outright or part of its holdings to shareholders. In some cases, privatization might not involve the sale of shares but the vesting of management or/and control in the hand of privately owned establishments.
Privatization from the above, presupposes the existence of government agencies - public enterprises/corporations - in the provision of certain services and that these agencies are not performing efficiently and effectively. So, privatization assumes that the private sector or market oriented bodies or institutions are better providers of these services. Therefore, it is assumed that, privatization of publicly owned enterprises would make them more efficient and effective in the potential for promoting cheaper and greater satisfaction to the beneficiaries of the services so privatized than public sector provision.¹

Now, let us attempt some of the definitions of privatization.

According to Michael Beesley and Stephens Littlechild, privatization connotes "the formation of companies Act Company and the subsequent sale of at least 50% of the shares to private shareholders,"² to them, the reason for privatization is to "improve industry performance by increasing the role of market forces". However, they acknowledged the fact that other measures can contribute to this. Some of these to them include the "freeing of entry to an industry, encouraging competition and permitting joint ventures". Added to these are, the possibility of enhanced market forces by 'restructuring the nationalized industry, to create several successor companies which may be publicly owned'.³ so they submitted that privatization is only one of the key elements in enhancing an industry's performance.

To C. O. Ibie, in a way not too different from the above:

"privatization is not denationalization of nationalized business, but a process by which the size of an ineffective public sector is reduced by transferring some of its functions to a relatively more efficient private sector."⁴

In a similar vein, Bolu Akin Olugbade opined that privatization involves the systematic, programmed withdrawal of government from the activities, which private persons and/or companies can perform more efficiently than government agencies and enterprises⁵.

Lastly, in Norman Johnson's conceptualization of privatization, he submitted that,
“all imply some diminution of the state’s role in the provision, financing or regulation of welfare. Privatization does not simply mean the sale of public assets and greater reliance on private enterprise and competitive markets; it also means the transfer of welfare responsibilities from the state to the voluntary and informal sectors.”

So to him,

“privatization, at its most basic, means a reduction in the role of the state and the transfer of some of its functions to private instruction.”

He added that the

“Private institution may be commercial undertaking, formal and informal voluntary associations or informal networks of families, friends and neighbours.”

An important question for us to answer at this point is, at what point could one say that publicly owned corporation have been privatized? The contributors in the First Bank Monthly Business and Economic Report (1986) titled “Inevitability of Privatization” seem to provide an answer. To them:

“The real essence of privatization is the transfer of ownership and control of a state asset to the private sector. This does not necessarily imply 100 per cent transfer and it similarly does not imply the absence of regulation”

As S.B. Falegan also noted, “privatization may be partial or whole”

Aspects of Privatization: Privatization is always in respect of the various aspects of statutory activities of the government or the areas of state intervention. Thus, privatization relates to the Grand and Robinson’s three broad areas of state intervention namely-provision, subsidy and regulation.

A critical consideration of each of these three areas may enable us to identify the range of strategies by which privatization may be achieved,
a. Privatization of provision of services may be by the sale of public assets such as nationalized industries (reprivatization), as it has happened in Western Europe especially France and Italy and the United State and Canada. For example, in the United Kingdom Local Authorities houses are being sold. It may also take the form of "Public authorities contracting with commercial undertakings or non-profit organizations to provide services wholly or in part, The British National Health Scheme (NHS) in Britain which is increasingly paying private hospital to carry out routine operations is an example of this, It may also take the form of "allowing encouraging recipient of public services to opt out either individually or in groups", This involves people opting out of statutory schemes for private provisions. For example, option given to individual schools to opt out local authorities control or hospitals from the NHS scheme and make a variety of independent arrangements. Lastly, it may involve "reducing or controlling the development of state provision or tightening eligibility criteria" thereby forcing people to rely on other sources of help and provision,

b. In respect to the Second broad area or state intervention that is subsidy, privatization would involve any or a combination of the introduction of increase of charges:
   i. this necessarily has the effect of making the recipient to bear greater proportion of the costs, There are many examples of this in Nigeria, Charges or tariffs of electricity, telephone, postal services, etc. are being increased;
   ii. reduction in payments by government for contracted services. With this there is a reduction or limit in the amount received by the performing body...; and
   iii. reduction in fiscal and other financial incentives to either consumers or producers.

c. The last of the broad areas which is regulation may involve removal or simplification of:
   i. regulation about the standard of provision;
   ii. regulation about the quantity of provision; and
   iii. regulation about the cost of provision.
Aim of Privatization: As to the aim of privatization, it is argued that, revenue generation is not the primary aim of privatization instead, "it is the desire to increase competitiveness and efficiency" and the belief that the powers of the free market can achieve this better than state control.\(^\text{12}\)

In concluding this part of our discussion, one could say that, privatization essentially refers to the whole programme or process of consciously transferring hitherto public/state provided service wholly or partly to private individuals or institutions. It may also mean the removal or simplification of government regulations (de-regulation) relating to the provision of services. This may be in respect of regulation about standard of provision, quantity of provision - and cost of provision. Lastly, privatization may mean the withdrawal of government subsidies in the provision of certain services. This might be by the introduction or increase of charges, reduced payments by governments for contracted services and reduction in fiscal and other financial incentives to either consumers' or producers of services.

However, it should be noted that privatization does not preclude government control. It should be added that privatization is not peculiar to Nigeria, it is a world wide phenomenon and has a universal attraction to government in both developed and developing countries regardless of the prevailing ideology.

The fact that privatization has an international appeal could be explained by the futile attempts in most countries at making their parastatals responsive to public policy, to make for their efficiency and effectiveness. The sudden and increasing international economic recession also necessitates internal economic reforms to avoid waste. One of such strategies is privatization, commercialization which we shall discuss next is another. Thus it is assumed that privatization has a "redeeming grace" because it has the potentiality for imposing financial discipline and an... element of market discipline into the operation of public sector organizations which were invariably under no compulsion to perform either because of the debilitating and demoralizing effects of political interference or because of the absence of market incentives to achieve operational and financial targets.\(^\text{13}\)
b. **Commercialization**

Commercialization unlike privatization assumes that the main problem of most public parastatals is that of inadequate tariff structure.

It is therefore assumed that an upward review of tariff or changes for services being provided by public enterprises would solve the problems afflicting them. In essence then, commercialization involves charging economic cost as against social cost for services.

However, one should note at this point, as evident in our discussion on the problems of public enterprises that the commercialization policy misses the point and cannot be expected to cause efficiency and effectiveness as the problems of these corporations are more than financial. Commercialization might not solve the known problems undercapitalization, manpower management, lack of spare, etc. It is therefore a half-hearted strategy to solving the problems of public enterprises. It is also pertinent to add here that commercialization is being pursued along side privatization policy in Nigeria.

It is however, not as pronounced as the emphasis is on privatization.

**Background to Privatization and Commercialization in Nigeria**

As a matter of fact, privatization and commercialization (especially the former), is the most controversial public policy since independence it could not be said to be new concepts in Nigeria's public administration. For example, it has been argued that although not on a considerable scale given the various ramifications of privatization, there has however been the "contracting of management as a form of privatization" by the government in its attempt at solving some of the problems of some parastatals. Prominent were the management contracts between Nigeria Railway and RITBS of India, National Electric Company of Canada, Nigeria Airways and ILM and Air Lingus and last the Nigerian Coal Corporation and Polish Organization.\(^{14}\)

So, it is difficult to actually establish the origin of privatization in Nigeria before, the formal declaration and adoption of privatization and commercialization policy in Nigeria in 1986. However, we take President Babangida's Budget speech of 1986 especially the July 1988, Privatization and Commercialization Decree No. 25 1988 (The Privatization Commercialization Decree 1988) which provided the legal framework for the im-
plementation of the programme within the context of the on-going restructuring of the Nigerian economy as the beginning of any meaningful privatization and commercialization policy in Nigeria. In the speech, the President stated that:

“in respect of existing public holdings in commercially oriented enterprises, government has... decided to divest its holdings in agricultural production hotels, food beverages, breweries, distilleries, distribution, electrical and electronic appliances and all non-strategies industries.”

He, however, added that;

“the divestment process will, however, give special encouragement and preference to groups and institutions like the Trade Unions, Universities, pension funds, voluntary associations patriotic unions, Youth organizations, Women Societies, Local Government and state investment companies.”

And that in divesting the holdings, care will be taken to avoid concentration of holding in the hands of few individuals and few areas of the country.

How did Nigeria come to Adopt these Policies?
The answer lies in the futility of the various attempts by successive governments, in Nigeria that had set up Commissions, Working Parties, Panels, Study Groups aimed at streamlining government parastatals with the fundamental objective of making them more efficient from the view point of management and profitability. Some of these attempts of making for an efficient and effective parastatals led to the setting up of a Working Party or Statutory Corporation and state owned companies headed by Mr. Michael Ani by The Federal Military Government in 1966, the Adebo Commission of 1971 and the popular Public Service Review Commission headed by Chief Jerome Udoji set up in 1972. In recent times there was the Onosode Presidential Commission on Parastatals and the Adamu Ciroma Transitional Committee set up in May 1981, and 1983 respectively by the
Federal Government during the Second Republic and lastly, the Committee (Ali-AlHakim Study Group) set up to look into the problems of publicly owned companies as one of the same Study Groups set up by the Buhari Military administration in 1984.

Strictly speaking before the official pronouncement by President Babangida, it was evident that Nigeria would adopt the policies partly as a solution to the problems of public corporations and also as a strategy for revamping ailing economy. The Adamu Ciroma Committee had made the recommendation which formed part of the deposed President Alhaji Shehu Shagari 1984 budget speech made public on December 27, 1983.

This was replicated by the Ali-Al-Hakim Study Group but could not be effected by Buhari administration as it was overthrown by the coup that brought in President Babangida.

In general terms, the views of Professor Aboyade and Commodore Ebitu Ukiwe, a former Chief of General Staff under the Babangida Military administration aptly summarize the adoption of the policies in Nigeria. Professor Aboyade in his address to the Annual Conference of the Nigerian Economic Society stated in respect of these establishment that:

"not only has there been a low (indeed) often negative return to capital invested, a low quality of management has compounded the high incidence of direct ministerial intervention in routine operations of the public enterprises, poor internal administration and the pursuit by arbitrary outside pressure, of non-economic policies of government had meant inadequate (and sometimes patently defective) pre-investment studies even in many cases of so called joint ventures."15"

His assessment which is still valid to date compounded by the financial indicators of performance of these parastatals and companies. A former Chief of General Staff, Commodore Ebitu Ukiwe in one of his briefings of media executives, gave an appalling and dismal picture of the federal parastatals and companies as at October 31, 1985. According to him16 less than a return of N400 million was realised on investment of loans and equity worth about N23.25billion. Elsewhere, Olu Falae, Secretary to the, Federal Military Government gave the same picture+. The situation is further worsened in the fact that these institutions were
also ineffective. So they are therefore regarded as constituting "an unnecessary high burden on government".

This therefore necessitated a shift in reform efforts from efforts from marginal tinkering of these control and profitability.

**Privatization Debate**
The debate on privatization and commercialization has been described as the "most vigorously pursued national debate" in recent times, giving their implications on the citizens. Most of the submissions were made in respect of privatization but these also apply to commercialization. Two schools or camps are evident in the proponents (those in support) and antagonists (those against).

The antagonists consisted the likely potential losers. They included the Nigeria Labour Congress (NLC) radical intellectuals, senior staff of corporations and government owned enterprises among others. Their arguments which were along the usual universal general arguments for and against could be summarized as follows:

1. **The Proponents Position**-advanced many reasons why privatization and/or commercialization should be adopted. These are:
   a. that governments have in recent times over-stretched itself with excessive responsibility as they have gone beyond the provision of essential goods and services and have dabbled into productive and distribution aspects of private goods through public resources and institution. Most of these are better left to the private sector

   It was also argued that, the main business of government is administration and maintenance of law and order and that government best serves the common good of the people by leaving the actual running of business enterprises to the private bodies and remaining on prescribing and enforcing the conditionalities needed to ensure that private interest serve the public interest.

   So, privatization will limit government role to enable the public sector to consolidate and conserve its energy and efforts and commitments which are more traditional to it, that is, function of maintaining law and order.
b. state ownership and control is said to have devastating and
damaging effect on the economy because it implies excessive
intervention in spite of inherent inefficiency of government
apparatus;

c. public corporations are a massive drain on the country's
resources as they depend on government subvention and
subsidy without financial returns or effective services. This is
said to be contributory to the country's economic problems;

d. in recent time, government has run into financial or liquidity
problems, hence the need to look for funds by selling off some
 corporations and withdrawal of government subsidies. So
privatization and commercialization have the advantage that it
can solve the country's financial problems as it will yield
revenue for the government. With this, government will be able
to re-direct its finances to other sectors;

e. attitude of people to government, property and work is negative
quite unlike the situation in the private sector. So, privatization
and commercialization would bring about a change of altitude
of workers as private management does not tolerate the attitude
that prevails in the public sector;

f. operational dynamics of privatization and commercialization
favour efficient management and administration. It also
promotes better utilization of resources;

g. the need for government to withdraw subsidy because of lack
of funds;

h. there is the political and/or philosophical reason which
suggests that government’s role should be limited in order to
enhance liberalism that is to make room for individual freedom
and liberty; and

Lastly,
i. in an apparent reaction to the antagonists’ position that
privatization and commercialization will necessarily preclude
government control, the proponents argued that, there is "no
industry controlled by the private sector that cannot be regulated
effectively by the public sector"19.

In conclusion, one should note that the proponents were not
united on what should or should not be privatized, scope (partial or
outright privatization) and the mechanics for doing so. Their consensus was in respect of the desirability for privatization and for commercialization in Nigeria.

ii. *The Antagonists’ Position*: The Nigerian Labour Congress in rejecting privatization as a solution to the problems of publicly owned companies in Nigeria argued in its Memorandum titled "Nigeria for Sale" that the problems of these corporations had to do with their managements and viewed privatization as a deliberate attempt to use public fund for the enrichment of a few individuals at the expense of the nation.²⁰

Instead of privatization or commercialization, the Congress argued for a radical re-organization under public ownership. To the Congress, the policies will not only bring untold hardship on the working people, it might lead to the "loss of the country's independence and sovereignty".

It is the usual practice for the states in the world to provide public and other collective goods and service such as law and order, national defence, electricity and communication for her citizens. These public or collective goods refer to such goods and service provided by parastatals that cannot be denied to one individual without denying them to all. Private ownership or commercialization would encourage a charging policy that some in need of such essential services might not be able to afford The consequence of this is a fall in standard of living of the people and which may compound the social problems of the society.²¹

It is against the dictates of common sense for government to privatize its parastatals given the reasons that prompted their establishment in the first instance. This they argued will amount to government abdicating its responsibility.²²

They argued on the basis of national security that the privatization of strategic sectors should not be undertaken since such would put the security of the entire nation at the mercy of a few private individuals.

G. A Akamiokhor seems to have offered what could be regarded as a summary of the antagonists view. To him²³

a. Given the inequities and disequilibrium in the economic system, privatization will lead to a concentration of wealth in the hand of few people which is an antithesis for the egalitarian philosophy of Nigerian Constitution.

b. The huge investments in some public companies make it unfair for
government to sell such companies to a few individuals.
c. Privatization would aggravate the problem of employment, as workers in this organization to be privatized would be left to their fate without any protection or any form of security.
d. By privatizing, government might lose the control of the commanding heights of the economy.
e. It has even been argued that the view that" the private sector is more efficient and productive is ... fallacious..." That the truth is that the 'private sector enjoys more patronage from the government itself', this in itself is argued incapacitates the public sector.\textsuperscript{24} and lastly,
f. Given the inadequate accounting records of the parastatals, they may never qualify for quotation In conclusion, the antagonists argued that privatization will negate the ideals of economic nationalism and self reliance and thwart the gains of indigenization as buyers may not necessarily be Nigerian and that the entire process is a conspiratorial ploy with such international institutions as the IMP, IBRD to enrich a few individuals at the expense of the entire populace and to entangle them with the capitalist world economy\textsuperscript{25}.

In conclusion, it has been argued that privatization is a "serious ideological matter" and should not be justified "simply on economic and financial efficiency" as it is being done by the proponents. Also, that privatization is not the only way to make business efficient.\textsuperscript{26}

**Privatization and Commercialization Efforts in Nigeria**

As already noted, the decision to privatize and commercialize in Nigeria was given a legal backing in July, 1988 by Decree 25 of 1988- The Privatization and Commercialization Decree. Under this Decree, which provided the legal framework for the implementation of the programmes within the context of the restructuring of the Nigerian economy, provisions were also made for the establishment of the Technical Committee on Privatization and Commercialization (TCPC).

The Committee which had Dr. Hamza Rafindadi Zayyad as its head was charged with the responsibilities of working out the modalities and supervising the sale wholly or partly or commercializing hitherto government owned corporations and parastatals.
The primary objective of the program is the transfer to Nigerian and/or foreigner, in accordance with the relevant laws of Nigeria of parts or all of the Federal Military Governments equity in the affected enterprises. Specifically, the programme and the committee are to:

- re-orientate the enterprises for privatization and commercialization towards a new horizon of performance, improvement viability and overall efficiency;
- develop the Nigeria capital market ("the capital market);
- restructure the capital of relevant enterprises in order to facilitate good management and independent access to the capital market;
- restructure and rationalize the public sector in order to lessen the dominance of unproductive investments in that sector;
- ensure positive returns on public sector investment in commercialized enterprises;
- check the present absolute dependence on the treasury for funding by otherwise commercially - oriented parastatals and so encourage their approach to the capital market;
- initiate the process of gradual cession to private sector of such public enterprises which by their nature and type of operations are best performed by the private sector; and
- to promote wider share ownership.

The privatization and commercialization policy which is being implemented at both the federal and state levels (although the Decree does not apply to states) is being effected gradually and selectively. At the federal levels, as evident in a communiqué issued at a meeting of the national Council of State (reported in the Vanguard, 19 January, 1988 p.l.), the initial attempt regard was the Federal Government decision to "relinquish all its share in 49 companies partly private twenty others while the operations of nine are to be fully commercialized".

From the above decisions, it means it is the character of the corporations and parastatals that determines what happens to it. So as reported by the United States of America (USA) Monthly Business Economic Digest (reported in the Vanguard of 12 January 1988, p.1 and 8) under the privatization programme public parastatals have been divided into five categories namely those to be:
a. fully privatized;
b. partially privatized;
c. fully commercialized; and
d. under government absolute control.

Durbar Hotel Ltd., West African Distilleries, North breweries and all Insurance Companies (except Nicon and National Re-Insurance Corporation)

In the second group are all Commercial Banks, Cement Companies, Oil Marketing Companies, Truck Assembly Companies, Nigeria Airways, the National Shipping Company, New Nigerian News-papers, Savannah Sugar Company, Daily Times and the News Agency of Nigeria. Some of the nine parastatals to have their operations to be fully commercialized include the Nigerian National Petroleum Corporation (NNPC), Nigeria Telecommunications Limited (NITEL) Nigerian Coal Corporation, National Insurance Corporation of Nigeria (NICON) Associated Ores Mining Company among other parastatals.

Among the parastatals scheduled for partial commercialization are the Nigerian Railways Corporation (NRC), Nigerian Airports Authority (NAA), National Electric Power Authority (NEPA) Federal Housing Authority (FHA), Federal Radio Corporation of Nigeria, Nigeria Security Printing and Minting, the two Steel Companies at Aladja and Ajaokuta among others.

Lastly, the category that are to remain under governments absolute controls are public institutions such as National Water Resources, Institute and Educational Cultural Institutions.

The policies which are being effected now cannot be really assessed. But given the last category above, those under absolute governmental control and those to be fully commercialized, it means that the problems of public enterprises still has to be solved to make for efficiency and effectiveness. This is being done in different ways as at, present through various reorganizations and over-hauling of the management and policies of their institution. The effects of these attempts remain to be seen.
Summary

1. Privatization is the process of transferring ownership and/or control of government institutions set up to provide certain public goods and services to private individuals or concerns.

2. Privatization relates to three broad areas of state intervention namely, provisions, subsidy and regulation.

3. Privatization aims at increasing competitiveness and efficiency on the assumption that the powers of the free market on which it is based can achieve better than state control. Revenue generation is therefore not the primary aim of privatization.

4. Commercialization is based on the assumption that the main problem of public enterprises is that of inadequate charges or inadequate tariff structure.

5. Commercialization involves the upward review of tariff or charges for services being provided by public enterprises. Commercialization is an inadequate strategy for solving the problems of public enterprises in Nigeria.

6. Privatization policy which was officially adopted in 1986 and legalized by the Privatization and Commercialization Decree, Decree No. 25 of 1988 was along the commercialization policy the ultimate solution to the problems of public enterprises in Nigeria, all previous reforms having failed.

7. There was no consensus on privatization and commercialization policies in Nigeria.

8. The two policies are being applied wholly or partially while some enterprises remained under government control.

Things to do

1. To identify the public enterprises that have or are being privatized fully or partially, and review the process of privatization or commercialization.

3. How is privatization being effected elsewhere? Are the results different?

Post - Test
1. What is the difference between privatization and commercialization?
2. When was the privatization (and commercialization) policy adopted by the Federal Government?
   a. 1987
   b. 1986
   c. 1988
   d. 1990
   e. None of the above.
3. What are the arguments for and against privatization in Nigeria?
4. Is commercialization an adequate strategy for solving the problems of public enterprises in Nigeria?
5. Suggest further solutions to the problems of Public enterprises not earmarked for either privatization or commercialization in Nigeria.
LECTURE TWELVE

Revenue Allocation in Nigeria

Introduction
This lecture discusses one of the recurring or if you like endemic issues or problems in Nigeria's federalism especially its public administration.

By the time you finish reading this unit you are expected to know what revenue allocation is, why is it so problematic in federal states especially Nigeria, the basic issues involved, attempts over the years at arriving at an acceptable formula.

Objective
The aim of this lecture is to familiarize the student with a recurrent topic in Nigeria politics. It discusses the meaning of revenue allocation, its history and problems in the Nigerian context.

Pre-Test
1. What do you understand by revenue allocation?
2. Why is it important, in a federation?
3. Should each level of government be funded by the resources it could generate on its own?
4. Name some of the Revenue Allocation Commission in Nigeria in recent times?
5. What is the current basis of revenue allocation in Nigeria?
6. What are the likely problems of revenue allocation in Nigeria?
Meaning

Revenue allocation in a federal state otherwise referred to as 'fiscal federalism' deals with the issue of sharing the proceeds from a variety of sources of revenue among the component units in a federation on the one hand and between the components and the federal authority on the other. In essence then, it entails the shifting of funds from one government to another, either of different levels in the organizational hierarchy or within the same level. Put differently, it is related to devising of a system a set of criteria or principles for distributing the resulting revenue within a given collectivity among the various claimants to public funds, thus in the case of Nigeria, it has to do with arriving at a system of allocation of revenue like between the Federal and the State and in recent times the states and the local governments. In essence, it means finding a fair and equitable division or revenue sharing formula that would be acceptable to the various units.

As we shall discuss later, the issue of revenue allocation also involves revenue generation. This essentially relates to tax or revenue jurisdiction that is the appropriate level of government that has responsibility for collecting different sources of revenue. Also, whether such belongs exclusively to that level of government or it only collects on behalf of all other levels of government or it retains part of it while the remaining goes to a central pool.

General Overview of Revenue Allocation in Nigeria

The issue of revenue allocation is an endemic one and indeed a recurring problem in Nigeria's political system. It is also a very sensitive issue and transcends the realm of economics; in fact it is more of politics. The issue is capable and has indeed generated some divisive tendencies in the country's politics and had tended to threaten Nigeria's nationhood on some occasions.

One should however point out that the problem of revenue allocation is one of the most important issues in the relationship between or among the various levels of governments in all federations, including the United States. As Dudley rightly noted:
"one of the stresses in a federal state arises from allocation of resources, and, specifically, the allocation of revenue between component units and components and federal authority." To him, "it is part of what is meant, in saying of a system that it is a federal system, that there is a constitutional division of jurisdiction between the component units and the federal authority, a division which entails that each component part, and the overall authority, should have some independent source of revenue to it." But it is not the case or not always the case for each level of government to have adequate independent source of revenue. For example as Dudley further observed in a way that applies to Nigeria.

### SUMMARY OF REVENUE ALLOCATION COMMISSIONS

<table>
<thead>
<tr>
<th>Period</th>
<th>Commission /Committee</th>
<th>Principle</th>
<th>System of Allocation</th>
<th>Comment</th>
</tr>
</thead>
</table>
| 1948/49-1951/52 | Sir Sydney Phillipson assisted by Mr. Simon Adebo | (a) Derivation  
(b) Even Rogers or Eve development | Not specified        | This was the first exercise in revenue allocation and was necessitated by the introduction of the Richards Constitution which put Nigeria on the way to federalism. |
| 1952/53     | Prof. Hicks and Sir Sydney Phillipson 1951 | (a) Need  
(b) Common national interest  
(c) Derivation  
(d) Even Development (of the regions)  
(e) Population size | (a) 50% of import duty on Tobacco and 100% of import duty on motor fuel on consumption  
(b) Captivation grant per cent head to be determined by the central government  
(c) 100% responsibility | (a) It was the Hicks/Dudley Commission that first attempted to spell out the different principles or criteria for revenue allocation.  
(b) However, the Commission never showed the weights to be given to each of the principles.  
(c) Although it was accepted but rapid political development led to the Nigerian political leaders demanding for a new formula by 1952.  
(d) As evident at the 1950 Ibadan Constitutional Conference, the West and North to some extent championed the derivation principle. During that time Cocon was booming while groundnut was selling out in the North. At the Conference. |
<table>
<thead>
<tr>
<th>Of Richards Constitution leading to the Macpherson Constitution of 1951</th>
<th>grant to unequal regions</th>
<th>North wanted a combination of principles (population need and even development) rather than of need which to the North did not encourage even development. East on the other hand wanted the predominance on 'National interest' and 'need' principles.</th>
</tr>
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<tr>
<td>3.1954 Chick 1953 See, Report of the Fiscal Commissioner Cmnd 9026 (London 1953)</td>
<td>(a) Derivation</td>
<td>(a) It came with the approach of Nigerian federalism</td>
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<td></td>
<td>(b) Fiscal autonomy</td>
<td>(b) Derivation principle was emphasized while others were given little space.</td>
</tr>
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<td></td>
<td>(c) Need</td>
<td>(c) Dispute over revenue allocation contributed to a call for a new constitutional arrangement and the collapse of the Macpherson Constitution.</td>
</tr>
<tr>
<td></td>
<td>(d) National Interest</td>
<td>(d) The influence of the Report was short lived as it was to be superseded with the approach of independence by another report-Raising Report of 1958. This was due to the demands by revenue allocation formula.</td>
</tr>
<tr>
<td></td>
<td>(e) 50% of import and exercise duties on tobacco, 100% of import duty on motor fuel according to consumption.</td>
<td></td>
</tr>
<tr>
<td>Year</td>
<td>Description</td>
<td>Relevant Text</td>
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</tbody>
</table>
(b) National interest  
(c) Fiscal autonomy. He introduced a new set of principle in the distribution of Distributable Pool Account (a) principle continuity of existing level of service and  
(b) Minimum responsibility  
(a) 100% of import and excise duties, 100% of import duties of motor fuel according to consumption  
(b) 100% of export duties according to origin  
(c) 50% of mining rents and royalties according to extraction.  
(d) 30% of other import duties (excluding those on alcohol) and 30% of mining rights and royalties Distributable Pool Account to be distributed in these proportions 40 N = 40/95 W = 24/95 and E = 30/95  
(a) With the oil becoming a source of revenue for the country, the East changed its revenue allocation formula from its 1953 position and opted for derivation while the West was no longer emphatic on derivation as it did earlier. Like the previous Commissions, this was not satisfactory to Nigerian politicians. However, the Commission's Report continued to apply until 1965 when a new one was set up. |
| 1966/67 Binns (1965) | (a) Derivation  
(b) National Interest  
(c) Fiscal autonomy | As for proceeding period but with the following additions  
(a) The Commission was set up at a time when oil was beginning to make its impact on the economy.  
(b) Due to the fall in the price of Cocoa, main export revenue according to the Western region between 1959/60-1963-66 maintained a downward trend while East and North experienced increases in their overall revenue. |
(d) financial comparability.

(a) 100% of excise duties on motor fuels according to consumption.

(b) 35% of other import duties, 35% of mining rents and royalties to Distributable Pool Account with North having 42%, East 30% West 20% and Mid West 8%.

The report was more or less overtaken by the crisis which accompanied the federal elections of 1965. The military coup of January 15, 1966 and ultimately the civil war which started in July 1967 according to Dudley, (1982, p. 256) temporarily relegated all considerations about revenue allocation to the background. There was an ad hoc revenue allocation formula in place when states were created in 1967 through the constitutionally prescribed distribution (by the Decree(Financial Provisions) No. 15 of 1967. The federal Government divided the percentage of each region by the number of states the region was split, for example, six states created from the North to share 42 per cent of revenue. Although, there was the Dana Commission of 1968, the above operated until 1972.

The Dana ‘Commission’ was appointed to look into and suggest any change in the then existing revenue allocation as a whole including Distributable Pool Account.

The Commission which was given four month to submit its Report was necessitated by certain developments that made a re-opening of the question of revenue allocation reasonable. These were: (a) the approach to an end of the civil war and the talk of a Second National plan (b) the likelihood of rising revenues from oil.
<table>
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<tr>
<td>(a) Population (b) Equality each having 50% Distributable Pool Account to be based on (a) basic needs or normal budget gap (b) minimum national standard (c) balanced development</td>
<td></td>
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<tr>
<td>The Commission was very critical of previous allocation exercises on the ground that they were made too dependent on constitutional charges. To the Commission..., revenue allocation should be properly conceived not as a constitutional exercise but as a means of financing development programmes. (Report... Dina 1969, p. 27) its specific recommendations were among others.</td>
<td></td>
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</tbody>
</table>
(a) the complex division of taxing authorities should be rationalized, with the federal government taking on the role of the principal tax–imposing authority.

(b) the federal government should take over some of the functions which then fall on states, functions which states were not adequately equipped to execute, such as higher education.

(c) portions of certain revenues should be put into a special fund under the control of the federal government and from which special grants could be made to the states for well-stated purposes.

(d) the criteria for distribution from Distributable Pool Account which the Commission wanted renamed.

The Report of the Commission submitted in January 1969 was not acceptable to the Federal Government. The arrangement in existence before Dina Commission therefore continued with some modifications. The 1967 Decree was modified as the Federal Military Government came out with its solution in Decree (Distributable Pool Account) No. 13 of 1970 which was given retroactive effect from April 1969.
<table>
<thead>
<tr>
<th>1970 effective from April 1969. (See Dullery 1982, pp. 258-260)</th>
<th>The basis of allocation changed to 50 per cent based on equality and 50% on population.</th>
<th>Decided to (a) take over the responsibility of fixing income taxes throughout the Federation in 1974 (b) in 1975 change the composition rather than the distribution formula of the DAP. With this, customs and excise duties which were formerly paid to the states were transferred to the DPA while the Federal Government surrendered (to the DPA) its share of the royalties from both on and off-shore drilling. (c) Instead of the 100 per cent of revenue from export which used to be allocated to states, only 60 per cent was allocated. During this period the Federal Government controlled the larger part of the federally collected revenue with only 20 per cent left for derivation.</th>
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<tr>
<td>8. 1977 Aboyade Technical Committee on Revenue Allocation Sec.</td>
<td>The most outstanding Character of the Report is departure from conventional paths criteria. The Commission debased all existing principles and recommended (1) Equalit y of access to development opportunities (a) National Minimum Standard for National Integration. (b) Absorptive capacity (4) Independent Revenue and</td>
<td>The Aboyade Report was rejected by the Constituent Assembly in 1978 on the grounds of being too technical. The Late General Murtala Mohammed had suggested that the Constitution Drafting Committee (CDC) might want to look into the system of Revenue Allocation. (See, Report of the CDC, 17. But the crux is that the recommendations was not in line with the part of terms of reference which required the Committee; taking into consideration the need to ensure that each government of-the Federation has adequate revenue to enable it to discharge its responsibilities and having regards to the factors of population, Derivation, Geographical peculiarities, Even Development, national Interest and any other factors bearing on the problem. The committee did not take account of the size and population of the state with their</td>
</tr>
<tr>
<td>Minimum Tax Effort</td>
<td>in the order of 60,30 and 10 per cents respective.</td>
<td>different levels of responsibilities and the relative newness of state several of which came into existence only in 1976.</td>
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</tbody>
</table>

There is also the tendency for the gap to be widened because according to the computation if one takes the first criterion which the Committee gave the highest weight and the Committee claimed to help the relatively backward states”, Anambra state was the least developed and that Niger is at about the same level of development as Imo while
Kwara was marginally less development as Imo. If one takes second principle which was meant to protect the backward states from falling below the national standards, it has widened the gap as Bendel and Lagos secured higher scores than Plateau and Rivers State. It becomes very glaring when the Committee concluded the computation that Rivers State had greater Absorptive capacity than Bendel, Ondo and that Bauchi had the lowest in the country.

One other reason for the rejection was that, the criteria expressed by the states for example, Anambra wanted population; Cross Rivers and Bendel, Derivation; and the North, population were not reflected in the Report.

Lastly, there was the problem of implementing the principles as their were no acceptable data, also the criteria were not free of 'definitional and measurement difficult as those discarded. However to the credit of the committee was the recognition of Local Government as third tier of government in the country’s revenue allocation formula. Although the 10% allocated to local government was small, it nevertheless brought local government into the framework of Nigeria’s fiscal federalism.
<table>
<thead>
<tr>
<th>Okigbo Presidential Commission on Revenue 1979</th>
<th>(a) Population</th>
<th>The federally collected revenue to be distributed among the levels of government thus 53 per cent to be retained by the federal government; 30 per cent to the states 10 per cent to local government and 7 per cent to be put in a “special fund” from which approved sums would be made available to the oil producing states as compensation for ecological damage arising from oil exploration and production.</th>
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<tr>
<td>(b) Minimum responsibility</td>
<td>(b) The 30 per cent allocation to the states should be shared between the states on the bases of these principles – 40 per cent on population – 40 per cent on minimum responsibility – 15 per cent on primary school enrolment – 5 per cent should be distributed in proportion to the amount of revenue internally generated collected.</td>
<td></td>
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<tr>
<td>(c) Primary school enrolment</td>
<td>(c) it also recommended that housing, agriculture and the Universal Primary Education (UPE) be transferred to the state government.</td>
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<tr>
<td>(d) Internally generated revenue were principles recommended</td>
<td>The issue of revenue allocation especially the circumstances that led to the appointment of the Okigbo Commission once again generated a lot of interest and controversy in Nigeria. The Commission set up by President of the defunct Second Republic, Alhaji Shehu Shagari was to 'undertake the task of reviewing the system of allocation with the request that in carrying out its task the Commission should give due regard to the principles of allocation, particularly those of derivation, population, equality of states, even development equitable distribution and national interest. In essence, the principles discarded by the Aboyade Technical Committee.</td>
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<td>(b) The Okigbo recommendation were vehemently protested. The nine progressive Governor (the states under parties other than the one at the centre) issued a public statement demanding 40 per cent and 10 per cent of federally collected revenue to states and local governments respectively. Also the Governors of the main oil producing State (Rivers, Cross River and Bendel) who supported the above also rejected the recommendation. To weighted them, they were not only politically tained, prejudiced, insensitive and biased but also that they involved a deliberate and dangerous mix up of the principle of derivation with the special fund meant to clear up the mess of the debris created in the process of exploitation and exploration of minerals.</td>
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On the whole, the opposition transcended party lines. (see details in Dudley, 1982 pp. 261-263 and 343. Also, see *West Africa* 1st September 1980, p. 1641.)

(c) Okigbo's Report was rejected in some sense even by the government. In a Bill introduced by the President in 1980, the President proposed revenue allocation among the levels of government with federal having 55 per cent, State 34.5 per cent, local government 8 per cent and initial development of Federal Capital Territory 25 per cent. Of the allocation to states (34.5 per cent) 30 per cent should go to all states while 3.5 and 1 per cent to oil producing states & ecological reparation respectively. The Bill was opposed by the National Assembly and as a result, a Joint National Assembly Finance Committee was constituted and eventually the Bill was passed as 1981 Revenue Allocation Act.

(d) The act was eventually challenged and the Supreme Court declared the 1981 Revenue Allocation Act null and void.

| 10. 1982 Revenue Act | (a) Derivation in respect of allocation to mineral producing states. | Allocation to each level of government was as follows: Federal 55 per cent, State 35 per cent (out of which 35 per cent was for mineral producing states. Local government – 10 per cent. The |
However, it might be wrong to attribute the phenomenon of dependence of the components on the Federal to military rule or post 1970 oil rigs. Since 1960 the federal source in regional finances was significant to about 53.5 percent in the East, 58.4 percent in the West and 63.3 percent in the North.

Possibly then, it is the challenge of this trend that could be significant. In the early period of the challenge even up to early 80s, it was argued that the federal government had no territory except Abuja and people demanded for explanation on how federal government was expending its huge resources.

At the inception of the 1979 Constitution, there was the argument that the Constitution be provided for a decentralization which gave more functions/responsibilities to the states and local governments. It was argued that, that should condition the revenue allocation among the levels of government to enable each level of government perform creditably:

This to a large extent would affect the amount being retained by the federal government. In fact, Aboyade Commission seemed to agree fully with the Constituent Assembly decision at the time on Exclusive and Concurrent Lists; hence its recommendation that the share of the federal government be held down to 60 percent (including 3 percent for special Account), 30 percent and 10 percent to state and local government respectively. This recommendation was even generous and was appropriately challenged. As evident in the Table, Okigbo Commission recommended almost a similar allocation formula - 53 percent to be
retained by the federal government and 7 percent as special grants to mineral producing states. Also, the nullified 1981 Revenue Act was not so different. The eventual Revenue Act of 1982 that was used during the Second Republic also gave primary to the Federal Government which had 55 percent while states and local government had 30 and 10 percent respectively with 3.5 percent of 35 percent allocated to the states to the mineral producing states on the basis of derivation.

The current revenue allocation only differs in two respects. One is the reduction in derivation to 1.5 as against 3.5 percent with 1.5 percent coming from oil revenue instead from the total federal revenue. The second is the change in allocation to local government and not through the State Government.

The controversy is still raging on as to the appropriate share of each level of government. On the whole, it is the federal government share that is being challenged. The basic argument being that allocation should reflect jurisdictional responsibilities of each level of government.

**Allocation among the Constituents**

This is another problem of revenue allocation in Nigeria. In fact, it dominated the early controversies on the issue of revenue allocation, that is, what should be the principles for allocating revenue among the regions or states. In fact, it is the area of revenue allocation that has attracted most attention and it is the most sensitive. Discussion on this aspect of revenue allocation has been excessively confused by sectional sentiments and unhealthy partisan political considerations. Various non-objective and non-quantifiable principles have been paraded and propounded over the years. For example, the Constitution Drafting Committee identified at least 9 principles derivation, even development independent revenue need, national interest, continuity, minimum responsibilities, population and financial comparability which it claimed had been tried and "found wanting in one way or another" (see the Report of the Committee Vol. 1, p.56) these which we have demonstrated in the Table were as at 1977, since then new principles have been added especially by the Aboyade Technical Committee (see the Table).

As evident in the Table, there has not been any acceptable formula for sharing the revenue among the constituent units. This is evident in the many attempts at arriving at such among others by at least eight Commissions or Committees since 1946.
One should also note that the emphasis on the principles in the third column of the Table has not only been changing, the preference by the components has also been dynamic depending on their economic fortune or misfortune. Thus, the West that was for derivation the 50s when Cocoa was booming de-emphasized same with the advent of oil that rendered cocoa insignificant. In the 70's, equity and even development were prominent. As at now, people want derivation or population among others depending on the career of the various principles prospered or declined according to shifting political attitudes and economic relevance or the degree of importance of the source of revenue of the constituents.

Summary

1. Revenue allocation or fiscal federalism is an age-long problem in Nigeria.
2. Attempts at arriving at a viable revenue allocation formula has been following the trend in Nigerian political development and her economy.
3. The crucial issues involved are the share at each levels of government and an acceptable principle for sharing revenue among the constituents.
4. Not less than eight committee and commissions had been set up between 1946 and 1980 to look into the issue of revenue in the country. At no time were the recommendations agreeable to all.
5. In recent times, the high proportion of revenue retained by the federal government is being retained questioned. However, its share remains relatively high.
6. Since the 1976 Local Government Reform, the Report of Aboyade Technical Committee on Revenue Allocation (1977) and the defunct 1979 Constitution, local government in Nigeria derives its revenue from the Distributable Pool Account just as other levels of government.
7. Apart from the increase of Local Government Allocation from 10 to 15 percent and the reduction in derivation principle in respect of the oil producing states, the current revenue allocation remains almost the same like the one under the defunct Second Republic.
Things to do

Post-Test
1. What do you understand by 'fiscal federalism'?
2. How many revenue Allocation Commissions were set up between 1946 and 1977?
   a. Ten
   b. Seven
   c. Nine
   d. Eight
3. How was the Report of the Aboyade Technical Committee on Revenue Allocation different from the previous one?
4. What factors determine the preference of a state for a particular revenue allocation principle?
LECTURE THIRTEEN

Politics, Planning and Budgeting under Nigerian Presidential System

Introduction
Politics and budgeting are two sets of activities that take place in both the private and public sectors. Indeed, they are essential elements of administration in both sectors although at varying levels and context. The need for this lecture arises in view of the perceived misplaced priorities of successive governments in public financial commitment and the controversy on the extent of legislative control on the executive especially in the areas of legislative control under a presidential system of government. This is an area in public policy which is germane to public administration under the present dispensation.

It is pertinent to attempt them. Essentially, we focus on the relationship between politics and budgeting, especially the involvement of the executive and legislature in the budget processes. All these go into determining the accomplishments of any government.

Objective
The aim of this lecture is to examine the centrality of planning and budgeting in public administration. It however focuses on the presidential system which requires a lot of money to service it.

Pre-Test
In order to fully grasp what you are about to read in this lecture, attempt to answer the following question:
1. What do you understand by public policy?
2. How is politics related to public policy?
3. What purpose do planning and budgeting serve in public administration?
4. What do you understand by 'Presidential System'?

CONTENT
Politics, Budgeting and Planning. Politics can be defined differently. To Harold Lasswell, it has to do with resolving 'who gets what, when and how?'

Alfred de Grazier views it as 'all that takes place in the decision making machinery of government'. In his own case, David Easton conceives politics as authoritative allocation of values and binding decisions.

_The Collins English Dictionary_ offers less technical definitions. These are stated below in part:

1. the practice or study of all the art and science of forming, directing, and administering states and other political units: the art and science of government;
2. the complex or aggregate of relationships of men in society especially those relationships involving authority or power;
3. political activities or affairs: party politics; and
4. the policy-formulating aspects of government as distinguished from the administrative or legal.

The above definitions are to a large extent mechanistic as they ignore the subject matter and the _raison d'être_ of politics. One of the classical definitions of politics that fill this _lacuna_ is that by Gavin Williams. To him:

"... politics is concerned with the administration of the common affairs of the public, a matter of universal rather than particular concern, whose virtue is to be judicious, expedient in both defining and promoting the common good."

Therefore, politics is no more than the pursuit of public interest. Politics and public policy can therefore be regarded as conterminous.
Politics and/or policy are therefore interplay of forces and their consequences. The eventual policy is assumed to be rational and a response of government to challenges or pressures from the physical and social environment. So it can adjust and adapt the political system to environment changes, vice versa.

Since politics is concerned with the promotion of the will of the State in order to enhance the common good, it then relates to:

“the machinery used by the government or the state to place itself in a position to make plans and programmes that can be carried out and to execute such plans and programmes that it has made.”

Plans and programmes of the government which are politically determined are in most cases a function of the character and philosophy of the political chieftains, the type of regime - military or democratic, constitution, party manifesto and the interplay of forces within the body polity. It is on these that the budget which is one of the administrative processes is based. Budget can be rightly described as the 'financial side of planning'.

On the other hand, budgeting is an essential element of administration and management. Among other elements of administration, it facilitates the attainment of organization goals. Within the context of Nigerian federalism, three levels of government exist - federal, state and local - each with its own areas of jurisdiction, purposes and mission. To a large extent, the federal levels specifies overall macro-policy framework while states specify objectives that conform to the national policy framework. Also in some matters, the state specifies overall macro-policy within which local governments have to operate. In all these, planning and budgeting are very crucial. They should conform to the objectives at each level of government which might owe their origin to many sources depending on the nature of the political system.

Specifically, budgeting which is the financial side of planning and which involves fiscal planning and control deals essentially with allocating resources among the various agencies and actors in ways that are capable of realizing the goals of an institution. Put differently, it is a process for systematically relating the expenditure of funds to the accomplishment of planning objectives. In other words, the allocation of
expenditures among different purpose so as to achieve the greatest returns. So, budgeting takes place in a competitive environment comparable to all other aspects of decision making.

Budgeting which relates to the determination of who gets what, when and how and what goes to the various sectors and services has to do with value preferences which must not only be based on philosophy, logic but also sociology, politics, economics and value preferences of the ruling class among others.

Every budgeting system comprises three interrelated process - planning, management and control - which occur in a continuum and in some cases simultaneously and not discretely. Planning (formulation stage) deals with the determination of objectives, examination alternatives and authorization of select programs. Management (implementation or execution stage) involves programming of approved goals into specific projects and activities, the designing or necessary resources. The last which is control (monitoring and evaluation) is the process of binding operating officials to the policies and plans set by them. This is predominantly during implementation and auditing stages.

On the whole, budgeting relates to the mobilization of human, material and financial resources through a number of techniques and procedures for the attainment of planned objectives. It is also for a short term usually one year and most widely used as a means for planning and controlling activities at every level of organization.

A pertinent issue at this state is the relationship between politics and budgeting. Given that the end of the state is the promotion of the public good, such has to be a function of the dominant values within the political system. As already averred the constitution, party manifestoes in democracies and ideological disposition of the political leadership are the determining factor. We discuss aspects of these with particular reference to Nigeria.

For example the Preemeable to the 1989 Constitution state the overarching goal of the Nigeria state as "the promotion of the good government and welfare of all persons" in Nigeria "on the principle of Freedom, Equality and Justice, and for the consolidating the Unity of our people".

Its Chapter II, although elliptical statements contains the "Fundamental Objectives and Directive Principles of State Policy...." is
equally informative. Specifically, S. 14 which relates to the fundamental obligations of government at all levels expressly states that:

"it shall be the duty and responsibility of all organs of government and of all authorities and persons, exercising legislative, executive or judicial powers to conform to, observe and apply the provision, of this chapter"

The chapter in its sections 15 to 24 contains statement on the nature of social contract between the government and people, Political, Economic, Social, Educational and Foreign Policy objectives. Directive on Nigerian cultures, National Ethnics and Duties of the cities of the citizens are also provided for. These among other statement of goals, for example the party manifestoes which contain more specific statements of goals should be the focus of the nation's effort and resources. Section 17, 18 and 19 are worthy of detailed discussion here.

S.17 (vi) enjoins the state to “within the ideals and objective of the Constitution” to:

a. harness, the resources of the nation and promote national prosperity and an efficient dynamic and self reliant economy; and

b. manage and control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice, equality of status and opportunity.

Its sub-section (2) also requires that state policy be directed towards ensuring:

a. the promotion of a planned and balanced economic development including the diversification of industries and dispersal of industrial projects and infrastructural facilities throughout the Federation;

b. That the material resources of the community are harnessed and distributed equitably and judiciously to serve the common good of all the people; and

c. That suitable and adequate shelter, food, water supply, reasonable national minimum wage, old age care and pensions, unemployment and sick benefits and welfare for the disabled are provided.
The Social Objectives (S. 18) also stipulates basic objectives which include adequate medical and health care facilities for all persons and provision of public assistance in deserving cases among others. Also, the S.19, the Educational Objective enjoins government to direct its policy toward "equal and adequate educational opportunities."

All the above among others are supposed to be the ideal goals of the Nigerian state which have been objectively or subjectively determined. They are supposed to be the framework for planning and budgeting at all levels.

Since all cannot be accomplished at once for obvious resource capacity constraint, long term planning which are backed up by annual budget for incrementalist implementation has to be the case. Even in planning and more especially budgeting, value preferences (however defined and determined) by the ultimate decision makers - Legislature and Executive - come into play. In the course of implementing; broad policy objectives, many forces are brought into play. All were trying to influence the decision making machinery of government to their advantage.

It is perhaps this understanding that led to Alex Gboyega's position that a budget is "a political statement of preferred goals and order of priorities" which usually entails "continuous, conflicting interest, bargaining and compromise".5

So, contrary to Professor V.O. key's position,4 budgeting involves more than value preferences based on philosophy. Also, it is not merely 'a form of applied economics'. This is not to discount the relevance of philosophy and economics among others. They are not irrelevant as Philosophy helps with goal setting in the political system while Economics is useful in allocating public fund among the desirable goals, especially between conflicting goals. It also helps in maximizing returns from resource input. It is therefore useful in determining efficient utilization of resources. To view budgeting as essentially economic enterprises, is to have a mechanistic as against humanistic or political nature of budgeting public administration.

The problem in the relationship between politics, planning and budgeting could be problematic and dysfunctional to the entire system. That which is the politically desirable or allocation funds with politics being the primary determining factor might be unfair as the political strength of the various interest groups necessarily put some at a
disadvantage. More often than not, the powerful groups have their way at the expense of the less privileged. It should also be noted that in some cases the preferences(s) might reflect the vested interest of the bureaucracy especially the Budget Department and not the particularistic drives of the spending agencies. Also, in these days of economic liberalization, economics more than politics might be relevant in some aspects of public expenditure and planning.

**Presidential System Revisited**

One fundamental departure in Nigeria's Second Republic is the change in the form of government from the parliamentary or 'Cabinet' on the Westminster model to the presidential system of government patterned along the American model.

Although, its adoption was one of the categorical imperatives for a new order, at least as perceived by the Murtala Mohammed regime in 1975 (a view that subsists under the present Babangida administration dispensation), its adopting has been justified on these grounds, that:

a. it is a more emphatically focused authority than parliamentary system of government,
b. it facilitates the exercise of executive authority by guaranteeing the incumbent
c. through the doctrine of checks and balances, it ensures that no single arm of government gains too much power to the detriment or jeopardy of the liberties of citizens, and
d. it promotes political integration through the power of the executive to appoint his cabinet or heads of departments from outside the legislature.

David Robertson advanced a definition of the presidential government as "a system which gives a strong role to a President who leads and participates in its actual decision-making processes." It contrasted it with a system where the President is simply the titular or ceremonial head of state while the real executive belongs to the Prime Minister.

In virtually all the literature, the system is often associated with the theory of separation of powers developed by John Locke at the end of the seventeenth century and popularized by 'a French observer of the British
political scene,' Montesquieu in the eighteenth century around the time the American constitution was being framed. Also, the corollary of separation of powers "checks and balances" which to Billy Dudley aims at circumscribing the exercise of presidential power is very important.\footnote{7}

Simply put, separation of powers means that the three organs of government - the legislature, executive and judiciary - should in membership, functions and control be kept separate. Relatedly, checks and balances connote that no one organ should be so powerful to control the other without the other having a way of counter-balancing. This removes what is sometimes seen as 'a constitutional distortion' that might arise from the imbalance between the various institutions if powers are kept separate.

The primary purpose of powers is to prevent despotism, arbitrariness and tyranny especially by the executive that is, the President giving his enormous powers - appointment, finance, and prerogative of mercy - among others.

Although, the doctrine of separation of power is germane to an understanding of the system, nevertheless, it is a misnomer to limit our description to the term. As Verney rightly noted,\footnote{8}

In theory, it is possible to conceive of complete separation of executive, legislative and judicial functions, but there is no evidence of its practical feasibility.

As a matter of fact, 'If government is to be carried on, the power must be coordinated and must overlap'. This is the reality even in the United States despite its being the masterpiece of presidentialism and its glorification of separation of power. So, a degree of fusion or overlap of power, a characterization of the parliamentary system obtains under the presidential system. This is however, at a lower level compared to the parliamentary system. To put our subsequent discussion in proper perspective, we now discuss the executive and legislature arms under the presidential system given their relevance to our discussion in this lecture. The requirement of the system is that the legislature and executive be kept separate, but former is a 'continuing watchdog and political regulator:

While the President, the Governors and Chairmen of the Federation, States and Local Governments respectively are the chief executives with powers that extend to the executive maintenance of the constitution, the exercise of all these powers is subject to the provision of any law by the legislature. On the other hand, some aspects of legislative powers, for example, law making are subject to the chief executive at all levels.
With particular reference to budgeting, the responsibility for the initiation of the Appropriate Bill rests with the executive arm. The actual preparation of the Bill involves many decision making and policy implementation centres and as many institutions - including the legislature - as are under the level of government in question. The Planning and budget Department play a dominant role in setting broad policy guidelines/objectives which are in the final analysis the broad goal statements of the government in power. The Appropriate Bill cannot become Law except with the approval of the legislature and chief executive's assent.

While we discuss in greater details the involvement of the legislature in budgeting in the next part, it should be noted that the centrality of separation of powers and checks and balances to presidentialism is not to foment conflict but 'to encourage the running of government on the basis of broad consensus and fair consideration of all interests involved'. For this to be possible, the most representative arm - the legislative deserves some controlling which must be used cautiously and in public interest.

**Involvement of the Legislature in Planning and Budgeting**

Planning and Budgeting are complex and multi-faceted exercises which involve politics - interplay of forces, executive (including career officials) and the legislature.

The budget proper or its supplementary, indeed any expenditure has to be debated and authorized by following the law making process. While it is initiated by the executive (Chief Executive) during his address to the body (unicameral at Local and State and bicameral at the Federal in Nigeria) it has to be approved by the legislature after which it requires the chief executive assent before money could be spent. The involvement of the legislature in budgeting goes beyond the approval of budget, it also includes implementation and monitoring.

The expressed provisions in the *Constitution of the Federal Republic of Nigeria 1989 and Local Government (basic Constitutional Provisions) (Amendment) Decree, Decree 23 of 1991* are instructive on legislature involvement in budgeting For our purpose here we shall limit ourselves to provisions relating to the state which are identical to the provisions in respect of the federal and local governments.
According to S. 119, a budget originates from the executive arm, the Governor to be specific. The Governor in sub-section (1) is expected to be prepared and laid before the House of Assembly not later than 60 days before the expirations of each financial year estimates of the revenue and expenditure of the state for the following financial year.

These estimates "shall be included in all bills to be known as an Appropriation Bill..." The Appropriation Bill has to be passed into Law by the House before expenditure could be properly authorised (S. 120). However, the Governor may authorize withdrawal from the Consolidated Revenue Fund of the State to keep government business going for a period not exceeding three months pending the passage of the Appropriation Bill. Such a withdrawal must not exceed the amount authorized by the House in the Appropriation Law for the corresponding period in the immediately preceding financial year. (S. 120).

In the event of the need for expenditure for which provision was not made in the approved Appropriation Law, a supplementary Appropriation Bill has to be submitted to the House for approval. Also, the House is charged with the responsibility for the establishment of a contingencies Fund for the State and has to authorize the Governor for advances from the Fund to meet 'urgent and unforeseen need for expenditure as appropriate (S. 121 (1).’

In all the above involvement of the House, the passage of the relevant financial bills would require in accordance with S. 98 Governor's assent. The Governor's assent can however be overridden if he withholds assent and "bill again passed" by the House of Assembly by two-thirds majority.

The involvement of the House of Assembly in budgeting does not end with the above. The house has post-budget roles. The house as the watchdog of the executive can direct or cause to be directed an inquiry or investigation ..." into budget execution/implementation. The House of virtue of S. 126 (b) can inquire or investigate,

a. the conduct of any person, authority, ministry or government department charged, or intended to be charge, with the duty of or responsibility for
   i. executing or administrating law enacted by the House of assembly
   ii. disbursement or administering money appropriated or to be appropriated by such House. The rational of the above
provision is to enable the House,

b. to prevent and expose corruption, inefficiency or waste in the execution or administration of laws within its legislature competence and in the disbursement or administration of funds appropriated by it.

From the above, it is clear that legislative involvement in budgeting goes beyond merely debating, passing an approval (in event of the Governor's veto), it is also charged with implementation, monitoring and control functions to prevent distortions in the budget and to ensure compliance with budget specifications.

The local Government (Basic Constitutional and Transitional provisions) Decree No. 15 of 1989 and its Guidelines for Implementation put legislative involvement budgeting more pungently. According to the relevant provisions, the local government legislative arm (the Council) is charge with:

i. debating approving and possibly amending Local Government annual budget, subject to the Chairman's veto, which could be overridden by two-thirds majority of the Council;

ii. vetting and monitoring the implementation of projects and programmes in Local Government annual budget; and

iii. examining and debating monthly statements of income and expenditure rendered to it by the executive arm of Local Government.

From the above at all stages of budgeting, even including the pre-initiation stage to implementation, the legislature is involved. As a matter of fact, the power of the legislature to approve the budget traditionally goes with the right to inquire into the effectiveness with which precious appropriations were utilized. More importantly, budgeting avails the legislature the opportunity to evaluate government or executive performance in the preceding year. Thus, the legislature has pre-in-and post-budgeting responsibilities.

Conclusion

Budgeting and planning in the public sector is more of politics than any other thing. This is partly because they have to do with allocation of scarce resources among various alternatives with different consequences on the
The goals of the state by definition are more often than not political statements which are reactions borne out of the prevailing circumstances including the expectations of the citizenry from the government. However, in these days of economic liberalization, other considerations apart from welfare and service factors for example, profit motive might be the crucial determining factor in budgetary allocation especially under the privatization and commercialization programmes. In this situation economics or profit motive supersedes. This might or might not promote the common good.

Budgeting as we noted is a complex and multi-faceted enterprise. It involves all decision and policy-making points in public administration which serve as sources of input for budgetary preferences. Beyond these, the character of the regime-military or civilian, the disposition of the leadership, constitution, party manifesto and policy preferences of the bureaucracy have a lot of influence on the content of the Appropriation Bill, its eventual approval and implementation.

Prominent in budgeting is the legislature charged with the responsibility to debate, amend and approve budget and if need be override the chief executive's veto. The involvement of the legislature, however, transcends the above as it has implementation, monitoring and controlling power. It therefore means that, while the primary function of the legislature is law making including passing the Appropriation Bill, it must also keep itself informed of the way in which the laws enacted are executed. Indeed, the legislative process would be incomplete if all that the legislature has to do is the examination of Bill placed before it without going any further.

In the Nigeria case, the role of the legislature in budgeting and governmental business as a whole has been problematic at the federal and state levels especially during the Second Republic and so far, at the state and local government levels under the present dispensation. The exercise of legislative power has occasioned some conflicts between it and the legislative arms. In some cases like in the Second Republic the legislature failed to be a collective check on the executive partly due to its internal logic or lack of toleration by the executive. The relationship between them has therefore been either confrontational or hostile instead of cooperation. Under the present dispensation there has been a seeming reluctance on the part of the legislature to do its work on flimsy or non-objective grounds. The executive reactions in most cases which cannot be documented did
not help the situation. Other avenues raised than ' unholy' inducements under whatever cover should be explored. Under Administrative law, the Orders of Certiorari and mandamus could be sought. This would compel or prevent the legislature from being ' unreasonable'. The executive also has to play according to rule.

In conclusion, what appears to be the most important constraint to planning and budgeting especially the implementation aspect is the peculiar characteristic of politics in Nigeria. In Nigeria, politics is nothing more than the pursuit of private ends instead of credible public policies. Gavin Williams Identifies a narrow conception of politics in Nigeria as "that which reduces it to the contest for political office and the competition for its Spoils. In other words, politics in Nigeria is "not about alternative policies but about the control over men and resources. So, the preoccupation with power is for its material benefits and ruled to the best advantage of all especially the neglected rural majority. This affects all stages of planning and budgeting. Selfish interests as against the common good determine budget priorities and eventual release of funds especially in these days of liquidity squeeze at all levels of governance. It is also this that renders to nought all control mechanisms that are in place to ensure accountability.

Summary
1. Politics play a prominent role in planning, budgeting and public policy in general
2. Planning, budgeting and indeed public policy is a function of the political actors and the bureaucracy.
3. The ultimate goal of public policy, planning and budgeting is the promotion of the common good.
4. Since checks and balances is an essential feature of the presidential system of government, planning and budgeting go beyond executive responsibilities.
5. The legislature has a controlling power in some cases reciprocal on the executive in financial management.
Things to do

a. Read up the provisions in respect of the controlling power of the legislature on the executive at the federal and local government levels in the constitution of 1989.

b. Read more on the characteristics and rationale of presidential system of government in Eckstein and Apter, op. cit.,

Post-Test

1. What do you understand by Politics?
2. What is the relationship between politics, planning and budgeting?
3. Enumerate the ways through which the executive and legislature control each other on financial matters?
4. Justify the power of the legislature on public finance?

References

8. Williams, op. cit. p. 17.
LECTURE FOURTEEN

Traditional Rulers and Nigeria's Public Administration

Introduction
This lecture focuses on traditional rulers, a controversial group in Nigeria's politics, administration and society that is fast becoming a formal institution of a distinct category, courtesy the 1976 Local Government Reforms, and the 1987 and 1989 Constitution.

We focus essentially on the role of traditional rulership/institutions in the country's public administration. This lecture is particularly important in view of the very recent contention that, traditional "rulership during the Second Republic suffered because of the marginalization of traditional rulers..."\(^1\) This is against the contention in respect of the institution during the First Republic when the system failed partly because of the role of the institution. So we intend to review the role of the institution in Nigeria's public administration especially in recent times and establish their contributions and continued relevance in the country's public administration.

Objective
The objective of this course is to examine the role of traditional rulers in a modernized country like Nigeria. We start from their roles in the past, and then focus on their present status. We also attempt a look at their prospects in the future governance of the country.
Pre-Test
In order to properly comprehend this lecture, please attempt to answer the following questions:

1. What do you understand by traditional rulership and institution?
2. Attempt to identify some of these institutions and rulers in your state?
3. What roles and functions do the traditional rulers perform in your locality?
4. What roles do you think they should perform?
5. Have they been helpful to public administration at least in their areas? If yes how and why?
6. Should the institution of traditional rulership be involved in politics and administration?

CONTENT
Definition
There is no consensus on the definition of traditional ruler. An elementary way of going about it is to define the terms 'traditional' and 'ruler'.

Relying on the Collins English Dictionary (1979 updated 1983), 'Traditional' is defined as, 'Of, relating to, or being a tradition'. What is 'tradition' would have to be defined to understand what 'traditional' means. According to the same source, 'tradition' means among others the following:

"the handing down from generation to generation on the same customs, beliefs, etc., especially by word of mouth*, the body of customs thought, practices, etc., belong to a particular country, people, family or institution over a relatively long period..."

From above, it is evident that to be traditional is not to be modern and that anything traditional is routed in custom which has been enduring practices.

On the other hand a 'ruler' means 'a person who rules or commands'. It therefore means that a traditional ruler is a person whose authority to rule derives from custom and it is generational. Now, let us examine the Nigerian definition.
In Nigeria, a traditional ruler has been defined differently. The National Conference of Traditional Rulers, held in Kaduna in 1983 proposed a definition thus:  

“a Traditional ruler is the person who by virtue of his ancestry occupies the throne or stool of an area and who has been appointed to it in accordance with the customs and traditions of the area and whose throne has been made in existence before the advent of the British in Nigeria.”

It stated further that:  

“the area over which he and his forebears have ruled or reigned must have at least a Native Authority created for it in 1910 or the date of the introduction of the Native Authority in the area concerned. There is a provision that, in the case of traditional stools established according to the customs and traditions of the people and recognized by the Governments in those areas and occupied at the date of this definitions be disqualified, provided also that in respect of other parts of the Federation of Nigeria, traditional stools similarly established prior to the 1st of October, 1979, will not by virtue of this definition be disqualified.”

The Committee on the Review of Local Administration in Nigeria in 1984 suggested a less cumbersome, concise and coherent definition, that:  

“a Traditional Ruler is the person who by virtue of his ancestry occupies the throne or stool of an area and who has been appointed to in accordance with the custom and tradition of the area and has suzerainty over the people of that area.”

Despite the difference in verbosity, some defining elements of the concept are revealed. These are - traditional ruler is not a sovereign power, it derives power, influence and authority from custom and tradition and not from modern political authority sources and that it is hereditary, as it is the exclusive preserved position for traditional ruling families.

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Background to Traditional Rulership in Nigeria

The significance of traditional rulers in the community and in administration has been recognized for quite a long time in Nigeria. As a matter of fact, before the advent of British rule that is, in pre-colonial Nigeria there were indigenous patterns of rulership and administration which were absolutely submerged in traditions under the Chiefs, Obas and Emirs as the case may be. The Obas and Emirs were highly deified, enjoyed a lot of defence, they were little gods in the society they were the custodian of law and order, in fact, it could be said that the lives of the people were in the hands of the Obas. They were regarded as fathers of the people in their domains. They were involved in all aspects - social, political, economic, and cultural among others - of their domains.

Even during the colonial and independence era, Obas wielded a lot of power and influence, although at a lower level compared to the pre-colonial situation. For example, despite the fact that the position of traditional rulers was negatively affected by colonialism, the whole system of indirect rule had them as its fulcrum, they still played important roles in the administration of the country. Furthermore, in independent Nigeria, they were given a place in the scheme of things as the legislatures at the regions which were bicameral had the House of Chiefs as their second Chambers, thus Chiefs were lawmakers to some extent. Also, in the actual operation of the region, the Regional Governors were in some cases traditional rulers, for example, the Late Oni of Ife, Oba Adesoji Aderemi was the Governor and member of the defunct Western Region.

Unfortunately, for various reasons, traditional rulers who were supposed to be highly deferred by the people had their fatherly perception and their symbols of unity eroded because they got themselves entangled in party politics. Partly because of this they have been excluded from formal governmental institutional arrangement and the relevance of the institution was under scrutiny. Despite the questioning of the relevance of traditional rulers to the political system, traditional rulers continue to be very relevant in the country's political setting.

Even when their relevance was in doubt, they still continued to perform certain important roles in the country, especially under the military.

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Some of these are identified below:

a. They advised the government on some of its policies and programmes, especially those relating to inter-communal relations, customary law and chieftaincy. This is always when such was sought by the government. For example, General (Rtd.) Obasanjo's regime consulted traditional rulers among others on the political transition programme of his regime before the handing over of power to politicians on October 1, 1979;

b. They helped in gathering support for government programmes and policies and in securing peoples support for the government. This is very true of military rule especially immediately after ascension to power through military coup. Coup planners have had to visit traditional rulers to explain why they struck;

c. They played a mediating role by being linkages between the government and the people. This is by putting across the views and recommendations of the people to the government on specific matters. This is also true under military ruler where the normal interest aggregating and articulating groups are either inefficient or non-existent.

d. They assisted the government in informing and educating people on various government activities. For example, during the introduction of tenement rating in Oyo State in 1976, traditional rulers were very helpful in educating the people and in securing support for the scheme;

e. They helped in mobilizing the people in organizing self-help projects especially in the provision of water, electricity and roads in their domains;

f. Helped the government in the maintenance of discipline, law, public order and peace within the state;

g. They initiated legislation of a customary law or recommend the modification of any customary law;

h. They exercised judicial powers as customary court judges;

i. They helped in resolving dispute at the local level, for example, conflict relating to land, religion and ethnicity;

j. They helped to diffuse tension in the society as their people will readily listen to them; and
k. they served as symbols of culture and culture heritage, they support and promote arts and culture and determine religious matters when appropriate.

Traditional rulers however, continue to perform these functions in varying degrees depending on the issue and character of regime.

In recent times, the involvement of the institution in the political system has been relatively stable. However, there were some bad times for the institution, two set of example suffice. During the Second Republic, given the overt involvement of traditional rulers in politics especially a party other than the one controlling their domain, some traditional ruler were obviously 'confrontational and consequently' humiliated to public knowledge. Of note were the Alafin of Oyo and Awujale of Ijebu land who had some uneasy relationship with Oyo and Ogun state Governments respectively. The State was under the control of executives controlled by the Unity Party of Nigeria while Obas were said to have sympathy for a different political party. Also in Kaduna and Kano States, the fact that the executive fell under the control of a pseudo -leftist party, the Peoples Redemption Party put some traditional rulers who were visibly not in sympathy with the party at loggerhead with the state governments. Apart from the suspension and marginalization of some traditional rulers and institutions, many new traditional institutions were created and traditional rulers installed in ways that possibly breached or and slighted tradition. These attempts were resisted by the traditional rulers but were imposed by the state government’s right. Also under the Buhari administration (1984-85) two first class traditional rulers, the Oni of Ife and Emir of Kano suffered the wrath of the Federal Military Government for visiting Israel contrary to Nigeria's foreign policy interest; they were suspended and restricted to their domains.

However, as we shall discuss later, the institution continues to be considered very relevant in the political and administrative process. Opinions are however divided on this. However, at the official level, their involvement has been given constitutional recognition. It is pertinent to attempt a discussion of the arguments usually leveled by the antagonists of the institutions borne out of the requirements of modern governments and known performance of the institution. This we attempt below.
Arguments against Traditional Rulers

Despite the positive sides of the traditional rulers or chiefs, there is a school of thought that opines that the existence of traditional rulers in the society is anachronistic. Some of the reasons underlined below serve as a basis for these positions:

a. that the institution of chieftaincy (or traditional rulership) is feudalistic and feudalism does not allow for positive change;
b. that chieftaincy today has no cultural (in most cases) and historical roots;
c. that chieftaincy in Nigeria sustains ethnicity, class and religion;
d. that chieftaincy conflicts have resulted in communal riots and disturbances, and altogether these have weakened the spirit of Nigerian unity;
e. that chiefs are parasitic in the present scheme of things;
f. that chieftaincy has not allowed for the emergence of a national culture in Nigeria; and
g. that the processes of modern government have no place for the chieftaincy institution whose original root has disappeared with the advent of capitalist transformations in the society. In fact, the view is expressed that with the emergence of modern political authority, there would have been the submergence of traditional political authority which to Max Weber is submerged in historical antecedent, kinship, ancestral linkages and traditions.

It was on the basis of the above that the call for the abolition of traditional rulership was and is still being made. As recent as 1986-87, the call for the abolition of the institution re-echoed. One of the five positions by Nigerians and indeed the first was the abolition of the institution. Those who made the case could not figure out the relevance of the institution to 'Nigerian's contemporary reality.' They argued that traditional rulers were perpetrators and collaborators of anti-public policies under whatever regime. So they were regarded as fronts at all stages in the country's political development.

Specifically, the following reasons and allegations were made:

1. that the traditional rulers compete for attention, supremacy, loyalty, and patriotism with the Nigerian state;
2. they are also alleged to aid and abet all manner of crimes;
3. they are factionalized in their struggle for power;
4. they have no special value in society because their role in sustaining tradition or passing it from one generation to another can be performed more effectively by other institutions;
5. they engage in acts of corruption and indiscipline just like other Nigerian and so, they cannot provide any moral guidance to society nor act as custodians of probity in public life;
6. they are seen to support any party in power and, in some cases, canvass for support for such a party; and
7. some of them have considerable business interests and are indeed big businessmen. They serve as fronts to multi-national companies and thus contribute to the deepening of the neo-colonial status of the country.

Recent Development in Traditional Rule-ship and Administration
When traditional rulers lost their formal legislative, executive and judicial powers at all levels in 1966, they were once accorded constitutional and legal recognition in the political system during the Second Republic. Section 140 and 178 of the defunct 1979 i.e. Constitution are relevant here. The latter section establishes, a Council of Chiefs in each State with advisory power (to the Governor) on matters relating to customary law, cultural affairs and chieftaincy. The former made traditional rulers members of the Council of State. One representative appointed by the Council of Chiefs in each state from among them represented each state. With this provision, traditional rulers advised the President in the exercise of the body. Such specific matters related to population census, prerogative of mercy, award of national honours election, and Judicial Service Commission. Also, they can advise on maintenance of law and order if the President or Governor requested. Also, the functions of traditional rulers within the framework of Local Government Traditional councils continued.

Apart from the retention of the provisions in the defunct 1979 Constitution in sections 151 (Third Schedule, part 1) and section 195 (Third Schedule, Part 11) which relates to the Councils of State and Council of Chiefs respectively, in the 1989 Constitution, its section 7 (Fourth Schedule, Part II) provides for the first time, functions of a

The functions of a Traditional Council according to section 8 and part II of Fourth Schedule of 1989 Constitution are:

1. The functions of a Traditional Council shall consist of:
   a. giving general advice to the Local Government Council concerned;
   b. advising the Local Government Council concerned on proposed development plans;
   c. assisting in the collection of taxes as may be required;
   d. advising on the religious matters where appropriate;
   e. promoting and advising on arts and culture;
   f. subject to the Law of the state, dealing with and advising on chieftaincy matters and traditional titles and offices;
   g. deliberating and expressing opinions to any organization on any matter which it deems to be of importance to the area as a whole or which may be referred to it by the government or other organization;
   h. assisting in the mobilization of human and material resources towards self-reliance, community development and welfare within the area; and
   i. such other functions as the Local Government Council may from time-to-time refer to it.

2. Nothing in this Schedule shall be construed as conferring any executive, legislative or judicial powers on a Traditional Council.

The above especially the institutions and the roles given to them in the 1989 Constitution are contrary to the Political Bureau's conclusion and recommendations. In its general observation, it came to the conclusion that

"in the context of the social and political order... traditional rulers should have no special role to play in government beyond the local government level where they have relevance and specifically recommended same and that apart from confining that role "to the local government areas within their communities where they have relevance" "they should not be granted, legislative, executive, or judicial functions."
The Future of Traditional Rulers

One cannot actually say that the issue of continued relevance of traditional institutions and rulers has been settled despite the constitutional provisions. The present arrangement is suspect given the alternatives as evident by the five positions on the role of traditional rulers namely:

i. the abolition of the institution already discussed;
ii. the co-operation of the institution;
iii. to participate in government the democratization modem government;
iv. the maintenance of the status-quo; and
v. the determination of their relevance and future by the people.

While the controversy continues, it would seem incompatible with the realities of modem government to revert legislative, executive and judicial powers back to traditional rulers as they requested. Revocation of the Land Use Decree and vesting land matters in traditional rulers would also be counter-productive. Insulation of traditional rulers from politics through government policies concerted efforts by the rulers themselves will be advantageous to the institution and larger society.

Summary

1. The significance of traditional rulers in community and administration dated back to the pre-colonial times.
2. That the roles of traditional rulers have had to experience certain changes which were partly conditioned by the country's politics.
3. At all times, traditional rulers were and are still relevant in the country's administration.
4. There, however, exist some controversies as to the role the traditional rulers are to play in recent times. This was informed largely by the established collaboration of traditional rulers in developments that have had negative impact on the nation’s politics and administration.
5. In recent times, while the traditional rulers no longer exercise executive, legislative and judicial functions as in the first Republic, the 1979 and 1989 constitutions gave them advisory responsibility at the levels of government while adequate institutions namely,
Traditional Council, Council of Chiefs and Council of State are provided for.

6. The issue as to the appropriate role of traditional rulers in politics and administration remains unsettled.

Things to do

a. Read more about the debate on traditional rulers and institutions in the Report of The Political Bureau (1987) Chap. IX.

b. Also consult the relevant aspects of the 1979 and 1989 constitutions on the role of traditional rulers.

Post - Test

1. Attempt a review of the involvement of traditional rulers in Nigeria's politics and administration.

2. Enumerate some of the functions of traditional rulers in Nigeria

3. What are the arguments for and against traditional rulers in politics and administration?

4. Should traditional institutions be scraped or prevented from taking part in public administration?

5. Who are the constitutional rulers in Nigeria?

References


5. Political Bureau, pars. 9.001-9.028

6. Political Bureau, par. 9.026.

7. Ibid. par. 9.027.


9. Traditional rulers made a strong case for participation at all levels of government to the political Bureau. See, ibid par. 9.009 - 9.014.
LECTURE FIFTEEN

Public Administration in Nigeria: Problems and Prospects

Introduction
This lecture which concludes the lectures on Public Administration in Nigeria focuses on the problems and prospects of Nigeria's public administration.

Specifically, we focus on the most all encompassing attempt at enhancing the efficiency and effectiveness in Nigeria's public services, that is, the Public Service Review Commission appointed by the Federal Military Government under the Chairmanship of Chief Jerome Udoji hence it is (popularly referred to as Udoji Commission) set up in 1972 and submitted its Report in 1974. Also, some other attempts are discussed. We also catalogue the recent and emerging problems in Nigeria's public administration. Solutions are also outlined.

Objective
This lecture highlights a myriad of problems confronting Nigeria's public administration. It also looks at the potentials which can be exploited to better the lot of the country and its citizenry.

Pre-Test
Before reading the main body of this lecture, please attempt to answer the following questions.

1. What do you consider as problems in Nigeria's public administration?
2. What is the Public Service Review Commission noted for?
3. Identify the basic components of Nigeria's public administration and enumerate at least two problems of each?
4. Proffer solutions to the problems identified above.

CONTENT

Our discussion of the problems and prospects of Nigeria's public administration in the country can best be understood within the context of her social, political, historical and economic development. From our discussion of the various themes, it is evident that there is an inevitable conjunction between public administration, the environment, and circumstances of its operation. One should also add that, while it is true that some problems afflicted or afflict public administration/service in Nigeria generally, some problems are peculiar to some aspects of the public service, for example the civil service, public enterprise, local government etc. What we intend to do here is to focus on public administration in general and some of its specific aspects as deemed fit.

Evidence that suggests the inefficiency and ineffectiveness of Nigeria's public administration in general or part thereof abound. The country's public administration especially its civil service is "bedeviled by many serious shortcomings which have militated against its effective functions". In recent times the conclusion was that:

“its goals and aspirations are not properly directed towards improving the general welfare of Nigerians. Rather the systems has mainly served the interest of the bureaucratic and those of capital accumulation of private, local and foreign companies. The above has been explained by the nature of Nigeria's post-colonial state. To the Political Bureau, at independence in 1960, Nigeria inherited a weak socio-political structure, a defective and unbalanced federation, an intensification of ethnic consciousness and rivalries, a subverted indigenous ethos of government and culture and, above all, an inexperienced leadership.”
The Bureau observed further that:

"most of the apparatuses of State (a civil service not primarily geared to development; a police force alienated from the interest of the ruling class and increasingly torn apart by regional sentiments; and a judiciary needed to the protection of the power elite) could not meet the support of the aspirations of the emergent State."

And that, "The parliamentary constitution did not contain enough provisions for positive socio-economic transformation and national integration, it encouraged regionalism."

From the above therefore the "inadequate and defective structures and institutions" as well as the orientation which British colonialism bequeathed to Nigeria could be held responsible (partly, of course) for the initial problem in Nigeria's public administration.

Although, some of the problem created by Nigeria's colonial heritage namely:

"an unbalanced federation, regionalism and sectionalism, alienation of the populace from the institutions of governance and major apparatuses of State (judiciary, police, army, etc.), and the conception of state as an instrument for the promotion of their welfare and development" were addressed by successive governments, the way they were tackled were not resolute enough. In some cases the solutions led to greater problems or introduced a new dimension to the existing ones."

And despite of the various institutional and constitutional reforms, the country's public administration remains largely inadequate for the execution of requisite social and economic developmental programmes for the progress and welfare of the entire populace.

Before we move to a statement of the more recent problems in Nigeria's public administration, it is pertinent to make some observations in respect of the immediate post-independence administration especially the civil service on which all other aspects of public administration hinged. This relates to the quality and calibre of early post independence
administrators and the environment for their operation. As already discussed in the dying days of independence and indeed at independence, it was imperative that Nigeria took over the administrative machinery, given the fact that, most of them found themselves in schedules with which they were not familiar and experiences one could query any high hope and expectations from the earliest administrators. The problems they had to grapple with were further compounded by the fact that, Nigerian successors had little or no breeding space to settle down before the political abnormalities of the immediate post-independence years, a trend which lasted until the collapse of the First Republic and continued until the conclusion of the 30 month civil war in January 1970.

In the face of the various crises, there was little or no time for the development of the public services. Also; there was no room for any sustained or serious thoughts on desirable reforms in Nigeria's public services to make them suitable for national development.

The problems were further complicated by the calibre of political executives, the fact that Ministries were created largely for political reasons rather than governmental needs, and the poor quality of governance and leadership. The inadequacy of the public services especially the civil service was later worsened by further proliferation of Nigeria's federation consequent upon the creation of Regions states starting with the creation of the Mid Western Region in 1963 and subsequent ones in 1967 (12 states) 1976 (12 states), 1987 (21 states) and 1991 These might however be a healthy development in Nigeria's federalism as it redresses its structural imbalance.

Before we attempt a catalogue of the various other problems especially the more recent ones, it is important to note the attempt of making the public services meet the challenges of public administration. Although, there were many pre-independence Commission; Gorsuch (1954); Mbanefor (1959): and post-independence commissions; Morgan (1963), Elwood (1966) and Adebo Commission on the Review of the Salary Structure of the Civil Service (1971) set up by the various governments to recommend measures capable of improving aspects of the country's public administration. In outfit, none was as popular and all encompassing as the Public Service Review Commission set up in 1972 under the Gowon administration.

Unlike the previous reforms most of which were largely directed at salaries regarding and review and dealt with specific professions, the
commissions which remains the only body that conducted the most far reaching probe into the public service channelled its efforts at achieving some measures of uniformity. Some of the problems in Nigeria's public service to which the Commissions proffered solutions would be evident in our discussion.

The Public Service Review Commission and the Public Services

The Commission's term of reference included the following:

1. To examine the organizational structure and management of the public services and to recommend reforms where desirable.
2. To investigate and evaluate the methods of recruitment and conditions of employment and the staff development programmes of the public services and to recommend changes as may be necessary.
3. To undertake with the aid of appropriate grading teams, the regarding of all posts in the public service and establish appropriate salary scales.
4. To examine all legislations relating to pension in the public services and in the private sector and to suggest such changes as may be appropriate with a view to facilitating mobility within the public services and also between those services on the one hand and the private sector on the other hand while at the same time providing for the retention in the public services of qualified and efficient personnel.
5. The enquire into and make recommendation on any other matter which in the opinion of the Commission appeared to be relevant to the foregoing and therefore ought, in the public interest be inquired into.

Given the all encompassing scope of the reform of affected all aspects of the public service-civil service, local government, teaching, police, universities, judiciary, statutory corporations among others. It did not also exclude the private sector.

Major Recommendations

Amongst others, the Commission made recommendations for solving some of the identified and identifiable problems in the country's public administration/service. It specifically recommended the following which
are reactions to specific problems:\(^6\)

1. The need for a new style of public service capable of meeting the challenges of the 70's and beyond. According to the Commission, to take care of the deficiencies of the existing (then) style of public service and its resultant effects - poor performance and low productivity - the following recommendations were made, namely; need for:
   a. a new conception of managements, a sort of result oriented approach to public service, concentrating attention and resources on the purposes for which public institutions are created as servants of society;
   b. such a public service to recruit and train specialized personnel, and use scientific knowledge to a much greater extent. To this end, it must draw upon the resource of research and educational institutions and upon the experience of the private sector both in Nigeria and abroad; and
   c. the new public service to adopt modern personnel management practice and to manage its human resources in such a way that would motivate them to achieve defined goals. To achieve this, three management techniques - Management by Objectives (MBO), Programmes Performance Budgeting (PPB) and Project Management (PM) - were recommended.

2. On the structure and organization of the public service and civil service in particular, the commission recommended a Unified Grade Structure which will embrace all posts in the public services from the lowest to the highest and provide equal opportunity for every official to advance to the highest position in the public service irrespective of his or her discipline Thus, this provision made for vertical and horizontal mobility in the public services.

   The above was directed towards removing a class oriented and closed career civil service without loss of security. This often led to conflict while redeployment of officers to areas of needs was problematic.

3. As a result of the above, the multiplicity of salary scales was abolished. There was the grouping of all officers within a unified salary Grade Level 1-17. This was to the Commission a result of job evaluation of officials. Thus, with this, a principle of equal pay
for equal work was instituted. The public service salaries and wages were also harmonized with what obtained in the private sector. The Minimum wage was also fixed at ₦270 as against ₦412.

4. Manpower, Planning, Training and Staff Development; as a result of skilled and experienced personnel which was a serious constraint of the country's development; it recommended the following,
   a. the strengthening of the Manpower Planning Division in the Federal Ministry of Economic Development and;
   b. reconstituting the National Manpower Board.

5. *Merit as the basic criterion for promotion:* According to the Commission, there should be a new criterion for promotion. This should be demonstrated in the ability to meet the demands of the new position based on evidence of past performance and potential performance.

   It also recommended a de-emphasis in security which to the Commission should be secondary to performance. It submitted that security without merit would breed abuses and bring about extraneous factors like favouritism, tribalism, etc.

6. *Abandonment of the Annual Confidential Report in favour of the Open Reporting System:* The Open Reporting System is an annual performance evaluation report based on assignments agreed to between an officer and his superior. It assesses the extent to which assigned goals were met by an officer. This system is different and superior to the confidential report in that the assessment by the superior officers has to be made known to the officer who also has to sign. This is unlike the confidential system where the assessment was not supposed to be known to the officer being assessed. Because of this, the performance evaluation is removed.

7. One other crucial recommendation aimed at enhancing probity and accountability in the public officer was the establishment of the institution of Ombudsman at both the federal and state levels. The institution was to handle public complaint against injustice in the hands of public officers, dereliction of duty, abuse of office and any other acts which do not constitute criminal offence for which redress could be sought in a law court.
8. In respect of the conflict between the Generalists (Administrations) and Professionals (conflict) which had been raging since the integration of the civil service in 1975, the Commission recommended "the abolition of dual hierarchies in ministries and a complete integration of all senior management posts within a ministry into one pyramid,\textsuperscript{7} That the officer with the best management whether a professional or generalists talent should head the ministry.

On the whole, the Commission stressed the need for a positive conception of public service which should be reflected in a code of ethics to be subscribed by every employee.

All the major recommendations highlighted above were accepted by the Government. However, the 'Commissions' recommendations, its approach and more importantly, the way the Udoji recommendation were implemented have been seriously criticised.

B. A. Williams who concluded that the Commission was a fertile failure faulted the Commission on some fundamental basis.\textsuperscript{8} To him Udoji Commission failed to define its objectives, for example, what constituted development which was the Commission's arching goal.\textsuperscript{9} This is a major lapse in that, a definition of the target for which Udoji is giving incentives remained instead. This makes it difficult to really determine its conceptualization of the problems and adequacy of its prescriptions.

Also, the Commission did not define the character of the Nigerian system and its sub-systems. In essence, it failed to view the public service, especially, the civil service in a social context. If the Commission did, it might have recommended the management techniques with some reservations and might not have unduly depended on the approaches. The reason being that, an attempt at defining the realities of Nigeria's system would suggest a different ecology other than the ones in the countries using the techniques and this would have queried their relevance since they were products of the ecology of the countries using them.

On the basis of the above, it was concluded that, the new management techniques may prove incongruous with the real needs of the Nigerian administrative situation.\textsuperscript{10} As a matter of fact the management techniques were said to be incomprehensible and were not being used in any significant sense.
In his own case Howson Wright like Williams discussed the commission of some fallacious assumptions which run through the Report. This is in respect of the Commission's argument which appeared to be based on the assumption that the private sector is comparable for the most part, to the public sector that leaders in the public sector must therefore learn "how to manage rather than how to administer."

They also criticized his recommending different salaries for Permanent Secretaries of federal and state governments. To him the responsibilities of state officials were very enormous. This to him should be left to the States to decide.

Another criticism arising from the principle of equal pay for equal work is the yardstick for measuring tasks. In most cases, offices and positions having different challenges were lumped together. For example, Vice-Chancellors of universities were lumped together as a group. Is this justifiable? To what extent is it true that all Vice-Chancellors have the same responsibilities? Or do they do equal work? Can not one make a distinction between the Vice-Chancellors of the old and the new universities?

Another area where the Commission was subjected to very serious criticisms was in respect of wages and salaries. The implementation of these aspects was marked by huge arrears and large increases in salaries ranging from 30 to 100 percent. The resultant effects of these were inflation, rural-urban migrations, industrial unrest, unemployment and labour migration. Also, the private sector was negatively affected.

The implementation was largely a distortion of the Commission's recommendations. It was this that is, the way it was implemented, as Asiodu noted that dominated public view which the press amplified.

It should be pointed out that, it was the government that decided that the effective date should be 1st April, 1974 and that whatever arrears were due should be paid in one lump sum in January 1975. It was also the government that decided that 50 per cent of the arrears due will be tax free.

The government rationalization of what Oyediran and Ajibola in *survey of African Affairs* called 'manna from Gown' which in the real sense was a 'political bride' was that put forward by government spokesman. This is to the effect that, public servants had waited for 24 months for the Public Service Review Commissions Report that during
this period, pay increases were stopped hence the government decision on arrears was to compensate them.\textsuperscript{15}

The only explanation that could be advanced for backdating the arrears is that, the Report recommendations were tied to Gowon's government desire to buy public support as he had three months before the Report declared that the handling over of government to civilians in 1976 a date he indicated earlier was no longer realistic.

On the whole, apart from the payment of salary arrears and salary increases, the establishment of the Public Complaint Commission, there was very little to show for the various recommendations that the government accepted. However, rather than concluding that the Commission was a futile failure, it is better to conclude that the reaction was mixed. It, however, in practice made of fact, the problems remained up to the time the military handed over power and to date even with the civil service reforms of 1988 among other institutional and administrative reforms. For example, to Asiodu, the Report, "rather than resolving seemed to exacerbate the Administrative vs Professional tension".

This might be true as the issue was also before the Philips Panel on Civil Service Reforms about one and a half decades after. Indeed, the political Bureau noted that despite the Public Service Review Commission's recommendation - introduction of a unified grade system - the Civil Service continued to be divided into two broad segments namely, the administrative and professional cadres.'

\textbf{Initial Problems of the Public Services}

Some of the problems still persist to date. Although in different context and forms included the following:

- \textbf{Political Crises and Abnormal Political Climate}: the politicians and public service of the First Republic had no breeding space to settle down before the country was embroiled in series of political crises. Since then the country has been going and coming out of crises of various kinds. So, there was little or no time for necessary reforms in Nigeria's public service. The political climate was also not conducive.

- \textbf{Manpower Problems}: This was prevalent problem throughout the federation. These could be traced to inadequate training and staff development, faulty recruitment due to a compromise of the merit
The manpower problem could be said to be of a carryover from the pre-independence era. As already noted, little attempts were made at developing Nigerians in the public service especially at the Federal Civil Service. So, the task of training of civil servants became imperative at independence in order to prop up their administrative capacity. However, little efforts were made.

c. The Conflict between the Administrative and Professional Classes:
As a result of the integration in the civil service in 1957 (already discussed in the lecture in which departments performing similar and related functions were merged into miniseries with a Director (specialist/professionals), hitherto, heads of departments losing their headship to the generalist or administrators who became Permanent Secretaries in the newly created ministries, a conflict which was inevitable in view of our adopting the British Civil Service model ensured between the administrative and professional classes.

d. Relationship between the Federal and Region/State Civil Services:
Before the military incursion into politics, the Federal and State civil service were to some extent coordinated and autonomous in their respective spheres. They cooperated within the federal setting. However, with the military, the Regional/State civil services became subordinated to the federal. This development which got a boost under Udoji report was a function of the military grip on the country, its centralizing and hierarchical tendencies, the "oil boom" which left a more than appropriate junk to the federal government apart from Decrees promulgating federal government supremacy and the emergence of the federal bureaucracy as a dominant and dominating power block among others introduced some distortions to Nigeria's federalism and her administration. This subsists till today.

e. Quota as a Criterion for Recruitment: There was lack of uniform criteria for appointment and promotion in the public service especially at the federal due to the political and educational realities of Nigeria. Disparities in educational development and trained manpower and the country's cultural heterogeneity (ethnicity) necessitated this.
Since after the Udoji Commission and more importantly as at the time the Political Bureau was submitting its Report, it was evident that the problems of the country's publics’ service were far from over. The political Bureau in various parts of the Report noted that the public services especially the civil services were bedeviled by many serious shortcomings which have militated against their effective functioning.

Furthermore, to the Bureau, the various reforms were to no avail and that despite the 'strategic position' of the civil service, it "basically remained a cog in the wheel of the development of the country." It enumerated the vices associated with the institution as, red-tapism, rigidity and conservatism on the one hand, and corruption, inefficiency, nepotism, ineffectiveness, wastefulness, laziness, absenteeism, high handedness.

The report also noted that apart from the fundamental problems of proper definition of the objectives, roles and responsiveness of the public service in general, other problems as at the time of the report included:

a. orientation problems arising from the colonial heritage of the system;
b. problems within the institution itself;
c. operational problems;
d. the reward system, i.e. gaps between lower and higher groups of the civil service on the one hand and the one between private and public sectors;
e. the accounting system i.e. Permanent Secretary being accounting officer rather than the political head, an arrangement that tended to frustrate many noble projects of the government as Permanent Secretaries often placed 'unnecessary bureaucratic obstacles to quick execution of... projects;
f. improper working of the Open Reporting System; and
g. loss of professionals to general administration as a result of the "opening up some avenues for professionals to rise to the post of Permanent Secretary Secretaries"

New Dimensions to the Problems of Public Administration in Nigeria
Since the handing over of power to the politicians of the Second Republic and particularly since the inception of the Babangida administration in
1085, the problem, in Nigeria's public service and public administration have come to assume a new dimension. Some of the developments were old problems in new forms or were necessary consequences of some of the regimes sociopolitical and economic policies - International Monetary Fund induced Structural Adjustment Programme (SAP), transition to civil rule, deregulation, liberalization of the economic, etc.

Because of the regime's commitment to a new socio-economic and political order whatever this means in principle and reality, a lot of transformations, which created new problems took place.

As already pointed out in Lecture Five the transition programme that heralded in the Second Republic excluded necessary reforms in Nigeria's public administration, especially, the civil service. The public administration of the Second Republic was therefore left with British oriented civil services which in theory and practice were inadequate in meeting the challenges of the new dispensation in the presidential system of government.

Apart from the inappropriateness of the institution, it was also largely dis-oriented, unproductive and inefficient. The purge, of 1975 has been attributed as the basic cause. Thus, a dominant and dominating 'civil service'.

The Daily Star of June 10, 1982 seems to have adequately captured the development. To the paper, unlike in the past when it was the loftiest, ambition of a young man to become a civil servant because of the economic comfort and security coupled with social status and distinction it gave him, the present situation stands for the contrary. To the Daily Star, "the worst thing that ever happened to a man is to be a civil servant." Specifically, the paper identified poor remuneration as a problem. The poor remunerations which the start referred to as 'sickly earning' was worsened by the removal of other attractive benefits like car loan. On the basis of the new circumstances, the pressure of domestic, social and financial inadequacies problems were bound to result. As a result of these developments, there emerged a trend whereby workers resorted to 'dishonest practices' ranging from private practice and auxiliary employment to outright bribery and corruption.

The Appendix I to this lecture titled Farewell to Government Service by Chuma Ifedi, a retired civil servant and a fresh evidence from the Lagos State Civil service apart from the realities of the country's socio-economic
setting suggests a worsening trend in the plight of public servants and declining productivity and public administration. Since the Appendix could be read and some of the issues would be raised in this lecture, we concentrate on the latter. With particular reference to Lagos State, the report of a Panel of Experts set up in 1991 to study manpower and training requirements of the service in Lagos State and headed by Prof Tijani Yesufu while submitting its Report on July 3, 1992 indicated workers as being "unproductive, undisciplined and unmotivated" According to the panel, the government was not wholly blameless for the trend as "it has not given response to the needs of its workforce".

According to the panel, the very low level of productivity was due to:

a. poor levels of discipline;
b. extreme shortage of requisite tools and equipment of all types vehicles even stationery;
c. lack of incentive, for example promotion prospect; and
d. inadequate and poor staffing: apart from the actual workforce of 12,900 as against an estimate of 73,000, they were mainly young' people and a tendency for a swelling rank of females.

The domination of the civil service by young people and women (for examples female population rose from 26.50 percent in 1984 to 38 percent in 1990) certainly suggest the inability of the government of retain experienced people including professionals and the like hood of an efficient civil service, One basic reason is the tendency for experienced qualified personnel to move to the private sector for better fortune given the poor remuneration and uncertainties in the public service, a trend that was set in motion with the purge of 1975.

Other problems in Nigeria's public administration which are very prominent in recent times include:

**Structure and Institutional Discontinuity**

This is a problem that affects Nigeria's federalism and her institutions, Political and institutional structures don't endure, Dele Olowu has rightly noted that Nigeria, (Africa's only federation that is in constant flux) has moved from a federation with three regions to one with thirty states. Also, it has moved from a federation with two tiers to three tiers with local government as the third tier.
The federal structure was before 1963 made up of three unequal regions, but with the creation of the defunct Mid-West Region from the defunct Western State, it had four regions. The four regions gave way to 12 states in 1967, 19 states in 1976, 21 state in 1987 and 30 states in 1991.

The development at the local government was not different. When the national reform was lunched in 1979, there were 299 local governments. This increased to 301 in 1976 and over 780 in 1981. In 1984 after the civilian regime of Second Republic was overthrown, the country reverted to the 1979 arrangement that is 301 local governments. In 1987, under the Babangida regime, it increased to 449 and later to 543 and 589 in 1991. The trend is likely to continue for sometime as there were pressures for the creation of more states and local government.

The fluctuation at the apex of the hierarchy of the public service between 1979 and 1988, a development yet inconclusive was also instructive. The 1979 constitution (now defunct) in its S. 157 provided for the offices of the Secretary to the Government and the Head of Service as distinct positions. After the demise of the Second Republic the two positions were fused to be separated under the Babangida administration in 1985. In 1988, as a result of the civil service reform the office of the Head of Service was scrapped. The desirability of the scrapping of the office is still being debated. As a matter of fact the Chairman of the panel for the reform, Professor Dotun Phillips has called for the restoration of the office. Earlier, the Constituent Assembly in 1988 had opposed the scrapping of the office.

Apart from the above, frequent indiscriminate and a times impromptu dissolution, reconstitution and rationalization of the public service - boards of statutory corporations, federal and state ministers, federal executive council among others.

All the above which are more of a common feature under the military (especially since the Babangida regime came to power in 1985) more than the civilian are certainly 'not ingredients for positive development'

Unstable Public Policy

Since independence and more importantly in recent times one noticeable aspect in Nigeria's public policy is lack of consistency and unstable public policy. A few examples suffice. The 1991 - 93 Rolling Plan assumed an exchange rate of about ₦8.50 to a dollar while the 1992 budget assumed ₦9.50 to a dollar However, by March 5, 1992 the Central Bank of Nigeria
depreciated the Naira by fiat. Thus, the exchange rate of the dollar jumped from ₦10.50 to ₦18.60 overnight. This change becomes more worrisome as there seemed to be no objective scientific basis for such.

The statutory allocation the Federation Account is another example. In 1991, the allocation to local governments was increased from 10 to 15 percent and in 1992 to 20 percent. Also, the allocation of the Federation Account was adjusted twice.

At the beginning of 1992, as enunciated in the Presidents Budget Speech, the federal government on the advice of the recommendation of the National Review Mobilization Allocation and Fiscal Commission increased the share of local government to 20 percent from 15 percent before that time. With this, the state allocation was reduced by 5 percent. Thus, state allocation became 25 percent. In June 1992, the federal government made public a new formula with Federal government having 48.5 percent as against 50% before June 6, 1992, states 24 percent (as against 25 percent) while local government share remains 20 percent. Special Fund was increased from 5 per cent before June, 1992 to 7.5 percent.

The last among others is the transfer of all Unity Schools to state governments a move which the federal government claimed to have rescinded.

Economic Problems
Since there is an intrinsic linkage between the efficiency, effectiveness and indeed quality of public administration and the economy, the country's economic situation is in part a problem because for her public administration. It has made certain desirable policies and programmes impossible or/and necessitated certain unpopular policies and programmes.

The malaise in Nigeria's economy which could be traced to the Second Republic resulted in the country becoming a debtor nation. The nation's debt (external and internal) which is always on the increase through fresh loans, capitation of unpaid interest, changes on rescheduled debt obligations, the plunge in the Naira exchange rate, and depreciation of the dollar against the other creditor's currencies stood at ₦33.364.5 million (33billion United State Dollars or ₦618. 9 billion in 1991, is a serious limitation.
The debt burden has partly necessitated the adoption of the Structural Adjustment Programme (SAP) package. This has led to withdrawal of subsidies especially from petroleum products, goods and services corporations being either privatized or commercialized. Also, there has been a massive and reckless devaluation of the Naira\(^\text{28}\) and cuts in public spending especially in the social sector, for example, education and health\(^\text{29}\).

These attendant consequences of the above include inflation and a massive decline in the standard of living of the people due to the various economic measures. Inflation has been described as 'public enemy No.1 in Nigeria', and has been adduced as the cause of most of the undesirable characteristics of the Nigeria Society which complicated the public administration machinery. Some of these included declining productivity, low investment, rising unemployment, low purchasing power, crime, corruption, dislocation of family and pervasive violence\(^\text{30}\).

Privatization and commercialization policies as already discussed seemed logical consequences of the realities of the nation’s economy. While it has yielded a substantial amount, about ₦1.6 billion as at April 1992 with 82 of 98 companies stated for full or partial privatization under decree No. 25 of 1988 having been privatized and an increase in share ownership of 600,000 shareholders; one is yet to figure out its positive effects on the generality of the people and the quality of service of the institution. The fact that there exists no competition and Consumers Ombudsman put the public at the mercy of the privatized or commercialized companies. This might however be due to other factors like inflation and foreign exchange deregulation rather than privatization or commercialization.

The various economic problems have been worsened by the problem of indiscipline in planning, budgeting and finance at all levels of government. This we will discuss next.

**Plan, Budgetary and Financial Indiscipline or Mismanagement**

As evident from all objective considerations in Nigeria's domestic economy apart from necessity dictated by the global economic recession, some economic reforms have largely been hindered by financial mismanagement which includes plan and budgetary indiscipline.
The Lagos Chamber of Commerce and industry (LCCI) have called for "a fair degree of correspondence" between the yearly expenditure estimates and overall expenditure for yearly covered by the Rolling Plan.\(^{31}\) Observing that the estimate for the government's programme in 1992 under the current that is 1992/94 National Rolling Plan was N8.664 billion the budget envisages a total capital expenditure of N11.977 billion and the situation under the earlier ones, the President of the LCCM Mr. Oludayo Sonufa concluded that,

"from the observed system of rolling, it appears the concept of the rolling plan has simply become another name for the annual capital budget since, plan are rolled over each year."\(^{32}\)

Apart from plan indiscipline, there is the more serious problem of budgetary indiscipline and general mismanagement of expenditure. In 1991, the federal government ran a N35.30 billion budget deficit. This amounted to about 91.3 per cent more than its N38.66 million budget designed to yield N100 million surplus.\(^{33}\) Earlier in 1990, it recorded a budget deficit of N22.26 billion.

The problem is however not very recent. The former Secretary and Head of Service to the Ondo State Government, Chief Theophilus Iwajomo while delivering a Lecture titled "Managing Government Finances in Time of Structural Adjustment Programme (SAP)" at a seminar on "Accountability and Control of Government Finances" traced the genesis of Nigeria's economy woes to 1982 citing what he called "unnecessary expenses and projects.,\(^{34}\) Recent developments however worsened the country's debt and makes public administration more cumbersome. This position is supported by the General of the Nigerian Institute of Social Economy Research and Chairman of the Panel on the 1988 Civil Service Reforms that the federal government should "urgently and sharply curtail waste in government expenditure."\(^{35}\)

For example, the two personalities among others were unanimous in identifying the areas of mismanagement some of these include:

i. N3.8 billion recurrent expenditure incurred in 1988 on certain subheads without covering authorities as contained in that years Auditor General’s Report;
ii yearly increases in budgetary allocations to the Ministry of Defence ranging from 11 to 76 per cent since 1990 while allocation to other sectors like education continues to decline. For example, despite the fact that student enrolment in universities has increased by 200 per cent since 1987 budgetary allocation has fallen from 22% (1987) to 1.45% (1982). This is discouraging, more so, while government spends 14% of the Gross Domestic Product in Education, it spends ten times more on Defence in a non-war situation;  

iii. establishment of certain agencies and institutions with overlapping functions with existing agencies. For example, the eleven River Basin Authorities, Directorate for Food Roads and Rural Infrastructures (DFFRI) and National Land Development Authority among others not only have overlapping functions, they are also charged with functions that are being or could be performed by certain existing bodies. Apart from the duplications, and the colossal amount committed to these institutions, for example (DFFRI) and Directorate for Social Mobilization (MAMSER) they usually have nothing to show for their existence. They are also corruption ridden. Their existence also create problems that are associated with running deconcentrated and devolutionary institutions together;  

iv. financial commitment to unproductive and non priority projects like the Abuja Stadium and the hosting of the Junior World Cup in 1995. The rushed movement to Abuja in 1991 seems also unjustifiable in view of the state of the nation's economy;  

v. increase in cost of overseas travels and estacode by public officers. For the Nigerians it increased from ₦4.43 billion in 1990 to ₦8.36 billion in 1991;  

vi. building of 906 party secretariats in the former 453 local governments and two state party secretariats one for each party in 21 states, funding of political parties and acquisition of vehicles for them;  

vii. unwarranted, unjustifiable and undeserved donations to both private and public institutions. Such bodies like Professional Musicians Association of Nigeria (PMAN), Awolowo Foundation among others have attracted huge sums of money as donations.
While there might be the need for public institutions to be assisted financially on situations where such bodies depend on donations from the federal government is not healthy. It suggests skewed revenue allocation, a situation\(^{38}\) in which the federal government has more than it deserves. We shall revisit this issue below; and

viii. apart from all the above, there is the general belief that a lot of corruption is being perpetuated in low and high positions in the public service.

All the above among others demonstrated the indiscipline and mismanagement in Nigeria's public finance which has very serious negative consequences on the country's public administration. They are to large extent non-justifiable expenditures given the realities of the Nigerian economy and the suffering of the majority of the people. Most of these expenses have no direct impact on the lives of the people who are supposed to be the subjects of development and public administration.

**Fiscal Federalism**

As already discussed in lecture 12, the issue of revenue allocation is endemic and political in the country. As also discussed above, the revenue allocation formula change frequently. The recent one announced in June 1992 is already under intense criticisms. Shortly after it was made public, all 30 finance commissioners at the Monthly Federation Account meeting agreed in their demand for an upward review of the states share\(^{39}\).

The problem in Nigeria's fiscal federalism especially since the first military interregnum lies in the federal government having the lion share to the disadvantage of the others and criteria to share among states. This more often than not always prevented the need for allocation to be matched with responsibilities. States and local governments were/are always in financial problems, a situation that has deteriorated with the devaluation of the naira.

Because of inadequate allocation from the Federation Account on which all levels of government depend in face of inadequate yields from internal sources, state and local governments always encounter a lot of administrative problems. It has had a negative effect on the pattern of the country's intergovernmental relations.

The complexity in the nature of the countries allocation of Federation Account is now assuming a new dimension as other criteria (like land
mass) are now either being paraded or adopted. While new interests are setting in the Association of Minority Oil States (AMOS) has been formed by Rivers, Delta, Akwa Thorn and Edo States, indeed by oil producing states that do not belong to the major ethnic groups.

**Federal Character**
The principle which was first entrenched in S. 14(3) of the defunct 1979 Constitution is a problem as it tends to compromise the merit principle in the Federal Public Service. While there are some justifications for the principle in an ethnically segmented with educationally and economically disadvantaged areas in the country, the way it has been implemented has been creating some problems. The justifications - national loyalty, sense of belonging and national unity - only make sense to somebody at the receiving end.

**Lack of an Acceptable Census Figure**
Lack of an acceptable census figure has been a problem in Nigeria's public administration. The 1963 Census on which projections are made remain the authentic figures. Lack of an acceptable census figure is a problem because census is an important tool for effective planning and proper projections for national development.

The attempt at arriving at a reliable and acceptable census figures looks like an exercise in futility as the 1991 Census results which put the country's population at 88.5million has been a subject of controversy and litigations. Many local governments and communities are also contesting the results. If the claims of the entities contesting the results have some merit and such could not be resolved, planning at all levels would remain cumbersome and inadequate. This cannot but affect public administration as a whole.

In another view, the census result has opened up old wounds in respect of adequacy of representation, creation of more states and local governments.

**Prospects**
Having discussed some of the recent problems, the resolution of which determines the quality of public administration, it is important to take a look at the figure.
From our discussion in this course, especially in this lecture it is clear that the task of public administration is cumbersome not only because of the complexity of the country but also because of the challenges it is facing. The over-arching ones being national development and poverty in the face of bad leadership and economic mismanagement. Also, it is revealed from our discussion that, apart from the nature of the Nigerian Society, the crucial factors that are very paramount in any attempt at solving the nations public administration problems are the military and conception of public service or office which includes people's attitude to work.

It is in the light of the above that the current transition programme which hold from available evidences, little or nothing in generating the new ethos and order conducive to better administration is very crucial. It is crucial in the sense that it was expected to usher in a democratically elected government with all its checks and balances, a situation where the Public will is expected to predominate.

With the proper functioning of the system, the pattern of expenditure discussed under the military will be prevented the desirable programmes and projects might get the attention they require. This however depends on the quality of the leadership that would emerge and the extent to which they are prepared to keep to the rule of the game. It is these that partly determine, the extent to which the return of the military could be prevented or protested if attempted.

Specially, for national development and for Nigeria to improve from being the World's thirteenth poorest nation\(^1\); there has to be a change in conception of public service as something other than contestation for office for its spoils and personal enrichment. Service should be the watchword.

Given the fact that, the public services are now largely counterproductive and the skepticism as to the adequacy of the existing reforms especially the 1988 Civil Service reforms, there has to be a rethinking on how to forge a virile efficient that effective public service.\(^2\) This has to be complemented with a helpful political direction.

On the whole public services, political chieftains and the larger society have to be re-oriented and restructured.
It will also be important to pin-point the following specifics as ways ahead:

i. policy formulators should be guided by the need to formulate and operate Plans that are in harmony with the framework of the plan for effective implementation of the Plan which should be informed by proper prioritization in the first instance;

ii. revenue allocation from the Federation Account among levels of government should be based on judicial responsibilities of each level of government. This will assist in sustaining the country's Federalism and create a healthy inter-governmental relations while preventing reliance on grants or/and donations by states and local governments;

iii. ensuring a better and stable exchange rate for the Naira through a multi pronged approach - improved economic managements monetary and fiscal policy measures, export drive, banning of non-essentials or luxuries if only temporarily to release pressure on foreign exchange. The event that led to the current state of massive devaluation were not dictated by the so called market forces which was to be the basic factor. So, naira has to be protested through a more pro-naira political decision;

iv. ameliorating poverty by giving SAP a human face if there are objective reasons for its retention, increase remuneration, control of inflation and checking excesses that may result from the activities of privatised or commercialized companies;

v. plan and budget discipline through strict adherence to 'traditional mechanism for managing public funds and the requirements of the budgetary process. Thus requires a healthy respect and compliance with approved budgets;

vi. federal character should not be a permanent feature in the country's public serve. Attempts should be made at not making the beneficiaries of the principle to be permanently dependent on it. There should be a point at which the application of the system should stop. Therefore, there is the need to consciously remove the educational and economic impediments to competition based on personal merit; and

vii. there should be a rationalization of de-concentrated bodies operating alongside devolutionary ones like DFRRRI and local
government to avoid unnecessary duplication and wastages. As a matter of fact they should be abolished while appropriate institutions should be over-hauled and adequately funded.

On the whole it should be pointed out that the military should be made to physically and psychologically withdraw from politics. It is through this that stability requisite to institutional and policy continuity could emerge. It is also this that can make for the development of ethos and practices supportive and promotive of an efficient and effective public administration in Nigeria.
APPENDIX

Farewell to Government Service
by Chema Ifefi

Thirty-five years ago, one was very excited to join the bandwagon of new entrants into government job. Still fresh from school, the sky seemed to be the limit in the horizon. It was refreshing to relinquish the garb of dependence on embattled parents to adorn the lofty statues of a worker, with the assured guarantee of regular salaries and fringe benefits attached to them. The prospects were bright. At first, a bicycle was certain, then a wife and subsequently a car saloon. Government job was the optimum in our day. The private companies were taboo and only drop-outs resorted to that kind of employment for want of an alternative. Graduates of secondary schools, like my mates and I, considered the private sector too low and very ordinary.

Therefore, when we landed at government jobs we felt that we had actually arrived at the proper destination.

Two years later, the fulfillment we expected started to arrive one after the other. First we hired a room of our own to live in and run our dear existence exactly the way we wanted. The only problem then was the landlord who demanded his monthly rents with a reminder at our doors. Shortly, the bicycle was within reach with only fifteen pounds to pay. We reach for the best -Raleigh bicycles. Any other make was branded inferior. Just a Raleigh and every other person knew that you indeed arrived. Even the girls too cherished young men on Raleigh bicycles. They saw it as a status symbol and as a first step to the ladder of an eligibility of a future husband.

Life as a junior employee under the service of colonial white masters was not the yoke which it has sometimes been called. British offices were often friendly from a distance. They were aloof, arrogant and often strict. But, they paraded some charisma of authority, influence and power. And they were usually fair in the bargain. Their integrity was not often in doubt from the emptiness of our knowledge of their official activities and their
extra departmental role. What was transparent was that they took no bribes and hardly demonstrated open interest in the native ladies who came their way. The possibility was always there that they carried on immoral clandestine habits under cover. We merely speculated, but our guess could be far from the truth.

Independence in 1960 promised changes. We saw them coming with the Nigerianization programme. Young Nigerians took over from white top executives in key positions. It was incredible. We saw the new breed as white men in black skin. They seemed omnipotent and detached. They behaved as if they had conquered the zone with their might. To the best of our knowledge, they only inherited the legacies of a colonial handover. In spite of their pretensions, we did not accept them willy nilly. The change was too sudden for our imagination. The old order of allegiance to white rulership could not be dismissed just like that. Nevertheless, we tolerated the new black masters, but wished that they were less domineering and friendlier even as senior service lords.

Post-independence Nigeria cannot be described as a bed of roses for government workers. The flow of goodies from salary revisions received our acclamation. All it required was threats from trade union leaders and the government conceded salary reviews. We enjoyed the game and urged on trade union leaders to continue with the pressure. After all, the politicians were also having a boom. Like a bolt from the blues, the military struck and the history of coups was heralded. One army regime after another came and left, either with ignominy violence. Government workers were dazed and watched discreetly as the drama unfolded in subsequent stanza. The era of uncertainty had become a fact of life.

Government job under the army had been a motley range of ups and downs. The retrenchment fever came and shocked most workers out of their complacency. We wondered what struck government job like thunder, but the fever continued and even assumed increasing proportions. Since then, many innocent government workers have shown the way out not necessarily through the barrel of a gun but that of the pen. The army itself still needs to show the rest of government workers that they are better behaved and more patriotic. The grumble of unfairness had always remained but the noise from the bitter hearts do not rise beyond the murmurs and whispers of resentment and frustration.

The government worker walks tall, but his mind is full of discord. The relative low pay, the scanty fringe benefits and when the massive
retrenchment they build up into a confluence of distress. SAP has not improved things, more so when the SAP relief measures trail behind the soaring rates of inflation. For the Federal corporations and state civil services, SAP relief is a mere illusion. The more you hear, the less you see. And beware of Governors who hate SAP relief more than the dread of instant death. There are Governors and Governors - those who hate comfort for their workers but have to live in an oasis of palatial buildings surrounded by deserts of destitution and want. Why do Federal Government SAP relief measures never benefit state workers, in spite of their pleas and protest?.

At the end of thirty-five years service in government work, one looks behind and sighs with some satisfaction. At least, one has seen some good times followed by the tide of depression. There had been reforms for better, for worse. There had also been defects like the cancer of federal character and arid geographical representation. It is a case of the first becoming the last, the tail wagging the dog. Government work is losing out to mediocrity and incompetence. This must be curbed, If we entrench political representation with mature consideration for merit and effective performance. Thirty-five years ago, the colonial empire fostered an image which treated all government workers as if they were children of the same family. It is not quite the same again. For the old brigade, to which this writer belongs, government service seems to be singing nunc dimittis and fastly rushing its way into the lagoon.
Further Reading


— Managerial Efficiency in the Public Sector (Ile-Ife, University of Ife press, 1980).


Alex Adegboyega, Local Government and Political Values. (Lagos, Malthouse Press, 1987).


Documents


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The Report of the The Political Bureau, 1986


Consult the Faculty Library and Main Library for Journal articles among others.

Journals and Chapters in Books


—"Relationship between the legislative and Executive Arms of Local Government Issue, Problems and Prospects", (Lagos" ASCON) (Forthcoming).

References

2. Ibid; par. 2.026
3. Ibid; par 2. 045
4. Ibid;
6. Our discussion here relies on the Commission's Report and Ladipo Adamolekun and Alex Gboyega, op. cit
7. See, Report., par. S. I I I-I 12
8. See, his 'Overview of the Report' in Adamolekun and Gboyega (eds) op. cit. pp 1-14
10. Ibid,pp.5-10
11. Ibid, pp. 5 - 10.
12. See, a detailed critique of the provision in respect of Federal and States Civil Services in P. Chiedo Asiodu, 'The Civil Services: an insider's view' in Oyeleye Oyediran (ed), Nigerian Government and Politics Under the Military. 1996-79., pp.86-87. One of the critique was the coordinate and sovereign authority of each level of government before the military. Also, the component (regions as were called) attained self government before the centre Federal). Also regional official were better paid and had more rapid advancement.
14. Seeem Report of Politic.71 bureau, par. 7 and 84 The issue was therefore one of the areas of concern to the Bureau between 1986- 87,
15. See, pars. 7.8834 - 7.086.
18. Ibid. par., 7.097.
19. Ibid. par. 7.080.
20. Ibid. pars. 7.080. -7.096
21. See, Dotun Philips, The 198.8 Civil Service Reforms and their post 
Paper No 3, 1980).
22. See the Guardian (Lagos) 4 and 22, January, 1992 for example of 
instances which include the highest decision making body the 
Armed Forces Ruling Council (AFRC) Federal Executive.
24. See details in, The National Revenue, Mobilization Allocation and 
Fiscal Commission, ‘Revenue Allocation’ paper prepared and 
distributed by the Commission at Seminar for States and Local 
Governments held in Kano 29-30 June, 1992.
25. It is important to note that the 1992 Budget and the 1991 - 93 
Rolling Plan assumed an exchange rate of N9.50 and N8.50 
respectively to a dollar (See, Dotun Philips “Is Experience not the 
Guardian (Lagos) 11 June, 1992.
28. Since the adoption of the value Structural Adjustment Programme 
in 1986, the value of the Naira has depreciated by over 1,000% (as 
a dollar in September 1986, to N3.33 to a dollar in the same year 
and by March 1992 it was N10.55 to a dollar. On March 5, the 
Naira was further depreciated by a fiat contrary to the official 
policy of market forces as the determining factor. Thus from 
March 5, 1992 N 18.60 was to a dollar (See All the Major National 
Dailies of March 6, 1992). As at mid-July 1992, a dollar 
exchanged for N25.00 (See The Champion, 20 July, 1992 230 
29. For example, since 1987 budgetary allocation has fallen from 
2.26% (1982) to 1.45% (1992) in education sector. This is more 
serious if one consider the declining value of the Naira and 
inflation and the fact that enrolment has been on the increase. See, 
The Guardian 20 July, 1992, p.6 and Budget, 1987 to date.
32. Ibid,
34. Reported in The Guardian, 14 April, 1992, p.3.
35. Dotun Philips, op. cit,
37. This strategy is fraught with problems and has been identified as a problem in public administration in developing countries. See, Ronald Wraith, "For dimensional Administration in Quarterly Journal of administration (Ife), 5 (2) January 1971, p.
38. Local and State Governments and public institutions have in recent times had to appeal for more funds from the Federal Government to perform their statutory responsibilities. For example in July, 1992, the Federal Government made extra grants to that states totaling ₦7 billion. Also in April, 1992, a total sum of ₦525 million, that is ₦25 million each was given to the 21 Federal Universities in Nigeria by the Federal Government.
41. See S. 277 of the 1979 Constitution.
42. At least seven States have vigorously protest the figures. These are: Osun, Oyo, Ogun Kwara, Imo Akwa-Ibom, Cross River. See The African Guardian, 27 July, 1992 p. 15.
43. Ibid
45. The problems which we identified in the 1988 Reforms and the
fears expressed seem to be founded in this volume and Bayo Okunade, "The nationale and implications of the 1988 changes in the Nigerian Civil Services" in Ind -- African (Connected Research Papers in Africa: Vol. Iv, No.1, April 1991, pp I - 15 which is a restatement of most of the issues raised in this lecture.
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