
by

Modupe Ake, Ph.D.
ake.modupe@lmu.edu.ng
Department of Political Science and International Relations
Landmark University, Omu-Aran

&

Olakunle Olowojolu
olowojolu.olakunle@lmu.edu.ng
Department of Political Science and International Relations
Landmark University, Omu-Aran

Abstract

This article aims to analyse reforms of the Nigerian civil service by specifically examining the 1999-2007 reforms. The paper will also explore the reforms in a thematic perspective in the areas of Pension Reforms, Monetization Policy, Restructuring and Repositioning of Ministries, Downsizing, Financial Regulations, Anti-Corruption Policy, and Service Delivery. Thus, the paper argues that there are various controversies surrounding the 1999-2007 reforms in Nigeria, therefore recommendations are made on how to improve the effectiveness of civil service in Nigeria.

Keywords: civil service, reforms, controversy, Nigeria, government, anti-corruption.

Introduction

Civil Service plays a crucial role in modern Nigeria; it is the machinery of government that is concerned with the formulation of policies and delivery of goods and services by and for the government. From May 1999 till May 2007, a lot of reforms were initiated to ameliorate and improve the efficiency and effectiveness of the service, and lately ensuring service delivery improvement. Given that the sustainability of any government policy depends largely on the component of its reforms. Thus, Civil Service reforms are a continuous process with no general starting point, and equally no end, and how favourably disposed the public servants are to make it work, depends on its capacity to effectively and efficiently execute policies.
The Government deemed it necessary to introduce reforms that would revitalise the public sector with a view to adequately empower civil servants to sustain the reforms (Ugwu-olo 2007). Hence, the Nigerian government carried out series of reforms; analysed among these are the Adebo Commission (1971), Udoji Public Service Review Commission of 1974, Dotun Philips Civil Service Reform of 1988, Allison Ayida Committee on Civil Service of 1995 etc. However, the challenges faced by these reforms are the controversies beclouding it. This paper examines the 1999-2007 reform, components of the Civil Service reform, and sets out some of the major controversies undermining reform.

**Conceptual Clarification**

Civil Service plays a vital role in the formulation, implementation, evaluation, and review of government policies and program which can be defined as a well organised body of permanent paid officials of ministries and departments under the executive arm of government, charged with the responsibility of implementing government policies and programmes in accordance with laid-down rules and procedures. (Anifowose & Enemuo 1999).

Reform is seen by Pollitt and Bouckaert in their comparative analysis of public sector reform as ‘deliberate changes to the structures and processes of public sector organizations with the purpose of getting them to run better’ (Pollitt & Co. 2011). Also, BPSR, (2007) sees reform as a process of effecting changes in order to make things better; it does not affect all sorts of changes. To qualify as reform, the intervention must be planned and systematic. It must also produce a fundamental change, and attitudinal re-orientation in terms of values and service delivery. The trend is anchored on productivity and service delivery. Government’s interest is to ensure productivity and efficiency on the part of workers, and thus, improved condition of service is paramount to reforms.

Controversy means dispute, argument, or debate, especially one concerning a matter about which there is strong disagreement and especially one carried on in public or in the press, and also it can be a prolonged public dispute, debate, or contention, strife, or argument; disputation concerning a matter of opinion.

**Analysis of Previous Reforms**

The formation of public service in Nigeria dates back to the colonial era, during this period, the colonial government set up the Phillipson-Adebo Commission in 1952 to review the phase of the Nigerianization process. Two years later, the 1954 constitution had declared Nigeria as a federation, thus shifting attention from issues and concerns about Nigerianization to regionalization of the country's civil service (Olowu, Otobo, and Otokoni, 1997).
The Elwood Grading Team of 1996 and the Adebo Commission of 1970 constituted the government's early post-independence initiatives to reform civil service. These commissions were less comprehensive in scope. The Public Service Review Commission of 1974 or the Udoji Commission of 1974, and the Ayida Panel of 1994 differs slightly, they shared similar objectives of creating an accountable, transparent, and responsive civil service.

However “the profile of the Public Service has not changed for the better. The Udoji Commission of 1974 unlike earlier civil service review proposals was said to be the boldest and comprehensive, however, the government implemented only the remuneration and placement aspect of the report and either abandoned or partially implemented the rest of the recommendations. Adamolekum (1996) cited the absence of "political will and committed leadership" as a key impediment to full implementation of the recommendations.

The Civil Service Reorganization Decree of 1988 or Decree 43 constituted the next major and comprehensive set of reforms. The decree failed to produce an efficient, morally upright, dynamic, and service oriented bureaucracy (Adi, 1999).

Another review of the public service was undertaken by the Ayida Review Panel of 1994. The panel examined the 1988 reforms and suggested far-reaching changes, these wide ranging reforms in the public service were put together to facilitate policy agility in government, all focusing on improving the operational efficiency of the civil service. The Provisional Ruling Council (PRC) at this period directed that the post of Director General should revert back to the status of Permanent Secretary and should be the accounting officer of the ministry (FRN 1997). The reforms went to the roots of the ills militating against efficiency and devotion to duty in the service.

The latest review of the public service was the one undertaken by the Obasanjo administration, with the establishment of the Bureau for Public Service Reform (BPSR) to, among other things, streamline and set a minimum standard in terms of staff strength and remuneration for the public service. According to HTSPE (HTSPE was founded in 1953 as Hunting Technical Services, a natural resource management consultancy in 1998, HTS was acquired by Genus plc, a year later Genus also bought P-E International, a firm focused on management consulting, hence. Genus merged the two firms in 2004, thus giving birth to HTSPE), an international consultancy company that worked in partnership with the federal government on the reform programmes via the public service reforms of the Obasanjo administration which embarked upon to, among other things: to tackle pay roll fraud, remove ghost workers and the large number of redundant posts, facilitate a process of organisational restructuring, improve service delivery standards, and facilitate a process of pay reform that will provide incentives for quality staff to come into the service, and stay there (HTSPE 2007)
The shapes and analysis of these reforms, which have been the subject of heated debates among many public policy commentators and the Nigerian populace is the main focus of this study and will be elaborated upon in the next section. According to critics, perpetual inefficiency triggered the establishment of this period, and thus, they are beclouded with one controversy or the other, undermining the integrity and accountability of civil service.

**The Reform Policy**

The 1999-2007 Reform was introduced by President Olusegun Obasanjo with the task ‘to build a civil service that is performance and result oriented, professional and technologically sensitive, and committed to a continuous improvement in the conduct of government business and the enhancement of national productivity’ (Ajayi 2006). The core thrust of the federal government position as Ajayi (2006) explains it was to ‘reposition and re-professionalise the public service for greater efficiency, effectiveness in service delivery, accountability, transparency, and overall national productivity’ (Ajayi op. cit). Hence, the reforms components are the Pension Reform, Monetization Policy, Restructuring and Repositioning of Ministries, Down-sizing, Financial Regulations and Anti-Corruption Policy, and Service Delivery, thus we will examine six components of reform policy: Pension Reform, Monetization Policy, the Restructuring and Repositioning of Ministries, Down-sizing in the Public Sector, Financial Regulations and Anti-Corruption Policy, and Service Delivery.

**Pension Reform**

The new pension scheme is contributory, and fully funded by both the employer and the employee based on individual accounts; the pension act permitted compulsory 7.5% per month as take home at retirement. The contribution is made at source, monthly and privately managed by Pension Fund Administrators (PFAs) with the Pension Fund Custodians (PACs). This whole scheme is being regulated and supervised by the National Pension Commission (PenCom). The Commission will ensure that the payment and remittance of contributions are made and beneficiaries of retirement savings are paid when due (Public service Reforms and National Transformation, 2006).

The Scheme accommodates workers in public and private sectors with a minimum of five employees, and only pensioners and those with three (3) years to retirement from 2004 are exempted (Salami and Odeyemi 2012). The new scheme only applies to the workers from 2008. The analysis of the new pension reform act suggests that the new pension scheme is not uniform in all categories of workers, while 7.5% of every workers salary is deducted as a contribution to the pension with the employers remitting 7.5%, totalling 15%. Only 2.5% is deducted from armed forces workers, while their employer, the government remits 12.5% totalling 15%. And again, judiciary workers under Section 8 (2) of the 2004 Pension Reform Act are exempted from the new scheme entirely.
**Monetization**

Definitionally, Monetisation is the process of converting or established something into legal tender. It may also refer to selling a possession, charging for something used to be free or making money on goods and services that were previously unprofitable. These benefits-in-kind include highly subsidised residential accommodation, transport facilities, chauffeur-driven motor vehicles (for the senior echelon of the service), free medical services and highly subsidised utilities such as electricity, potable water and telephone. The controversies here is that, the cost of providing these amenities to public servants has become so huge vis-à-vis other provisions in the annual appropriations that little was left for funding capital projects, the government claimed. The problem was further compounded by the fact that these benefits were largely not provided for in the most cost-effective manner (Nnebi 2006).

**Restructuring and Repositioning of Ministries**

The Obasanjo administration was essentially committed to achieving a civil service based on international best practice to establish technologically driven workers through friendly information and communication technologies (ITC) and professionalism to solve the problems of an over-bloated staff and restore the confidence of Nigerians’ in public institutions, and to resolve the problem of duplication and overlapping functions between agencies and tiers of government. It was seen to be one of the major ideals that would reposition the federal civil service. This aspect of reform would solve the problem of ghost workers syndrome, determine the relevance of departments/agencies and determine the actual number of staff needed per ministry, and the establishment of a work schedule for each cadre and post as well as, identify areas of training for the respective ministers.

By September 2004, the Bureau of Public Service Reforms (BPSR) was established as an independent agency in the presidency. This is part of the system response in the re-organization and re-assigning of all Ministries Departments and Agencies (MDAs) of all arms and branches of the federal government. The bureau recommended that respective ministries be restructured between 4-8 departments depending on the scope and responsibilities. Every restructuring was subject to the approval/ratification by the Federal Executive Council (FEC).
Down-sizing in the Public Sector

Down-sizing implies reducing staff strength of public service. The policy, according to its advocates is aimed at minimising personnel cost as well as redundancy in the public sector. According to the former Federal Capital Territory Minister Nasir El-Rufai, this policy was used in Abuja as a starting point. In his words, the FCT (Federal Capital Territory) was a good place to start because of the 25,000 employees in the FCT working for the federal government and they felt that if they could find a way to use the FCT as the laboratory for the public service reform, and they can get civil servants that actually report to the needs of business in Abuja, then, it would serve as an example (El-Rufai 2006:1). To further underscore the extent of job loss occasioned by the reform, Aluko (2007:13) claims that the administration has so far retrenched, about 4.8 million Nigerians across the entire public service are all in a bid to downsize the workforce, and minimise the economic role of government (http://www.codesria.org/spip.php?article1737).

Financial Regulations and Anti-Corruption Policy

In regards to anti-corruption legislation, there are two special anti-corruption legislations enacted to handle corruption with a view of addressing the entire anti-corruption strategy and framework in Nigeria, they are: Independent Corrupt Practices (and other related offences) Commission (ICPC) Act 2000. Thus, the ICPC is vested with the powers to educate, prevent, detect, investigate and prosecute all offences under the Act as sections 8-26 of the ICPC Act clearly spell out offences and penalties covered by the Act, if committed after 13th June 2000, the effective day of the law. These offences equally prescribed severe penalties ranging from 1 to 7 years imprisonment with hard labour, and a fine depending on the gravity of the offence. Therefore, an offence under this category includes: giving or accepting gratification by an official in person or through his agent, fraudulent acquisition of property, deliberate frustration or hindrance or obstruction of investigation activities, transferring money from one vote to another, false statement and fraudulent disclosures, electoral fraud such as bribery of electoral officials. The Commission also has powers to tap telephone lines and freeze bank accounts of suspects. Indeed the ICPC Act criminalizes virtually all loopholes and lacunas, public officials exploited before the law was enacted.

Next in this explanation is the Economic and Financial Crimes Commission (EFCC) (Establishment) Act 2002, an inter-agency commission and co-coordinating agency for the enforcement of all economic and financial crimes laws in Nigeria. Apart from the administration of the EFCC Act, the Commission is vested with powers of enforcement of all other laws relating to economic and financial crimes in Nigeria, including relevant sections of the criminal code and penal code which include banks in the Financial Institutions Act of 1991 (amended in 2002), and the money laundering Act of 1995 (amended in 2002 & 2004)

And also with this scope, we the Failed Bank (Recovery of Debts), the Financial Malpractices in Banks Act of 1994 (amended in 1999), and the Advance Fee Fraud (otherwise known as 419) and Related Offences Act of 1995.

Under the EFCC Act 2004, the Commission has powers to investigate and prosecute offences such as advance fee fraud, money laundering, counterfeiting, illegal funds transfers, futures and market fraud, fraudulent encashment of negotiable instrument, fraudulent diversion of funds, computer credit fraud, contract scam, forgery of financial instruments, issuance of dud cheques. Others have powers to freeze account, tap telephone lines, identify, trace and seize proceeds of terrorist, et cetera (http://www.dcp.com.ng/files/Anti-corruption).

Service Delivery

On March 21, 2004, Servicom (Service Compact with all Nigerians) was created, with the main thrust to establish a service compact with all Nigerians. This is fundamentally customer orientation package which was anchored around some vital philosophies, such as: if the service is no more rendered, then the aim of the Ministries Departments and Agencies (MDA) is defeated and government will crumble. To keep the synergy fresh, it is of note to find out who is responsible for poor service delivery. Is it the customer or the provider? How can a bridge be reconstructed so that the aim will be achieved? Thus, Servicom is hinged on four main principles: affirmation of commitment to the service of the Nigerian nation, the conviction that Nigeria can only realize her full potential if citizens receive prompt and efficient services from the state, the consideration for the needs and rights of all Nigerians to enjoy social and economic advancement; and a dedication to deliver services to which citizens are entitled, timely, fairly, honestly, effectively and transparently. And in unity with the thrust, the objective of Servicom are to: learn the principles, ideals and tenets of service delivery in government establishments, develop mechanism for collating all complaints, both internal and external, institute a framework for resolving and escalating all unresolved complaints, including obtaining feedbacks from the complainants, assist staff to understand the need for ‘service excellence’, and to assist staff to take a personal responsibility for customer satisfaction.

Controversies of the 1999-2007 Reform

In the process of reform between 1999 and 2007, there were many controversies with the problems associated with the Nigerian civil service reform that stems from the Max Weber model (western) of bureaucracy that Nigerian civil service adopted, couple with the lack of political will by the ruling elite and the nature of the economic system in Nigeria of capitalism that emphasizes primitive and excessive accumulation of wealth. These factors together contributed to the failure of the numerous attempts to reform the civil service from post-independence until today.
This however cumulates in marring governments laudable policies vis-a-vis poor implementation strategies (i.e. bureaucratic procedures) adopted by the civil service, effecting unworkable solutions, and the placing of obstacles in the way of policies formulated by the political officials (Okotoni, 1996). Hence, the 1999-2007’s administration introduced a number of reform initiatives aimed at repositioning public service, a reform assumed to be comprehensive and sustaining in nature; however there forms were riddle with a state of prolonged public dispute and debate concerning matters of conflicting opinion.

In practice, the template for implementation as well as the collaborative process was not followed to the letter, thus creating significant gaps. A major gap in the implementation of the 2003 Public Service Reform Program (PSRP) was the upgrading of what was meant to be the pilot Ministries Departments and Agencies (MDAs), a reform into the actual reform programme itself. Accordingly, while pilot MDAs recorded some evidences of reforms, a number of MDAs were simply right-sized without any effort to re-engineer their management BPSR (2009).

In this discussion, Professor Sam Aluko (2007) in a chapter titled ‘FG Reforms Agenda and the Nigerian Economy 1999-2007: A Critical Assessment’ in paper published in the Daily Trust newspaper, says that ‘because of jaundiced reform policy in this sphere (public service) many public enterprises have either collapsed, closed down or been sold to foreigners, while the public service which was once vibrant, productive and incorruptible has become a haven of corruption, inefficiency and stupor’ (Aluko 2007).

Consequently, the interface required between the political and administrative leadership was lacking. Indeed, there was undue reliance on outsiders especially consultants to articulate the process. Thus, the content, objectives, vision and mission of the reforms was not effectively communicated even to public servants.

The reform is capitalist oriented, modelled after USA and UK civil service reforms. The formulation and implementation of the reform policies were spearheaded by politicians who did not have core bureaucratic experience. The Public Service Reform Team (PSRT) headed by El-Rufai and Economic Team were not bureaucrats. There was also the delay in establishing the Bureau for Public Service Reform (BPSR) until September 2003, four years and four months into the administration. This results in into a half hazard system, and the entire “process has inexorably regressed into piecemeal approach, and in some cases, with programme activities launched somewhat half-heartedly” (Olaopa, 2009). And moreover, the reform was emasculated in deception and impunity, with a lack of coherence in the implementation and coordination of the reforms, and an overlapping conflict and clash of interest between the agencies such as the Bureau of Public Service Reform (BPSR), the Public Service Reform Team (PSRT) and the Federal Civil Service Commission (FCSC), because each had the same mandate, creating over bearing powers.
Considering the above, we take a closer look at the controversy in and surrounding: pension reform, monetization, the restructuring and repositioning of Ministries, the controversy of downsizing staff, the anti-corruption agency, and the service delivery scheme in Nigeria.

Pension Reform

The controversy of Pension Reform is that it was filled with deceptiveness and corruption; and the administrators were mostly connected to a network of highly placed politicians. Thus, the regime witnessed the greatest protest by pensioners who learned of the defrauding that the assumed increase in the minimum wage was being collected back by deducting 7.5% of the workers’ salaries, as the criteria for disengagement of officers from service were not closely followed in some MDAs. And problematic, the administration rarely paid the retirees, and the funds meant to be handed out to disengaged staff along with their retirement letters were not handy. Many remained years after they were removed from service without their retirement benefits while some died in the cause of undergoing the rigorous and deceptive procedure to get their gratuity paid. “Data capturing” became a home name for retirees, as this was a monthly exercise, yet in the end, no result was released.

The purge during this administration resulted in a pyramidal structure of workforce composition in the federal civil service. The implication is that there were so many senior officers crowded at the top, many of whom are not about to retire soon. Below the chamber were bright, efficient and energetic classes of workforce without the opportunity of making an impact in the system.

Monetization

Second, via the controversy of Monetization, experts on Nigerian public administration contended that poor compensation of civil servants constituted a key impediment not only to civil service reform or performance of Nigeria's civil service but also to national economic growth and development. A study by Schiavo-Campo, Tommaso, and Mukherjee (1997) specifically noted that the lack of resource as the main constraint to genuine improvement of civil service systems in Africa. And while the government took some measures to improve incentives through pay increases in the past three decades, the incentives were inadequate, especially for managerial and professional staff whose support is considered essential to the success of reform.

The Restructuring and Repositioning of Ministries

In the controversy of the restructuring and repositioning of ministries, the public sector had over the years been weakened with an over expanded public expenditure profile, persistent deficits financed by domestic and external borrowing with resulted in high debt service burden, a breakdown of the traditional instruments of control leading to corruption and misappropriation of funds, poor costing of programmes and projects, a large portfolio of abandoned/on-going projects especially in efficient and wasteful projects owned controlled wholly or partly by the government (Aduke, 2007). And furthermore, the traditional instrumentality of the rolling plan has become discredited and hardly informs the preparation of the budget, and indeed major policies.

The era of comprehensive planning details had become unmanageable and resources scarcity cum political intervention in priority setting had contributed in rendering the plans impotent. This stems from the fact that annual budget had not been spared either as expenditure priorities and fund releases hardly respected the provisions of the approved budget (Aduke, 2007). Consequently, scarcities of technical and managerial resources severely constrain the ability of the Nigerian government to sustain a comprehensive public sector restructure programme, even when the wherewithal is there, yet, the challenges of the complexities and sensitivities of some of the public sector restructure processes remains.

The Down-sizing of Staff

The third controversy was the down-sizing staff, and thus Nigeria civil service had never witnessed the level and nature of havoc experienced under the 1999-2007 regimes by way of down-sizing staff strength. About 35,700 workers were either forcefully to retired or retrenched without an honest and transparent procedure or criteria. Some of the criteria established were faulty and senseless. And those without due authorization did not get into the service on their own; they were pay rolled and probably have an appointment letter duly signed and issued. However, those whose service were abolished could still be useful in other areas if given the needed training, bearing in mind that they have families and extended dependants as this is common in Africa, unlike in USA and UK. To further underscore the extent of job loss occasioned by the reform, Aluko (2007) claims that the administration has so far retrenched about 4.8 million Nigerians across the entire public service, all in a bid to downsize the workforce and minimise the economic role of government.

Controversy was extensive in anti-corrupt agencies because the administration was politicized, hence, used as political weapon against opponents. The judicial system in the country also makes prosecution very frustrating due to delay in securing judgment.
The privatization and commercialization reform initiative of the administration also served the interest of the bourgeoisie class, and most of the strategic government quarters were sold and bought over by the same class of people. Thus, the question is why the campaign for attitudinal change and anti-corruption when taxpayers money is being utilized by a group of persons who are entrusted to manage and maintain those industries in a manner, yield profit? Will these companies be managed better by them and for them and not for the Nigerian public?

Last, a painstaking and careful study of the literature available on Servicom, clearly established that despite apparent intention to make it applicable throughout the country and to permeate the three tiers of government (federal, state, and local), it is an exclusive federal government project, based in the presidency. And its methodology and mechanism for extending its application from federal to state and local government levels are not stated. And the ambivalence of promise and non-fulfilment of promise by service providers in their efforts to fulfil all righteousness on paper by way of exaggerated claims as to what they have actually done is alarming.

**Conclusion**

In this paper efforts were made to articulate some of the key components of public service reform of 1999-2007 in Nigeria. The analysis notes the activities of each programme and structure, thematically and delves into the underlying causes of the controversies; it has also observed that civil service reforms have been a ritual that must be carried out by every administration using the same template. Every regime has always recognized the civil service as an important sector of the administration for which reform initiative is considered very essential. Despite the uniqueness of the Obasanjo civil service reform, it seems that various projects have not yielded the desired result. Thus, the controversies bedevilling the reforms suggested that the advertised results were not achieved, and it appears that what is touted as the panacea to the problems of the service is not capable of turning round its fortunes.

**Recommendation**

In spite of the enabling programmes and the relevant institutions/agencies of government to administer them, inefficiency still thrived in the civil service in Nigeria, unabated. It is strongly believe that if Nigeria is to experience the much-desired growth and development to enhance high standards for the service, a perfect matrix of legislations, and systems and strategies targeted to improving quality must be embraced by the entire citizenry. It is instructive to introduce a holistic approach in the reform process that will stir public institutions and make them result oriented. Subsequent reforms in Nigeria should be deeply anchored around an attitudinal change philosophy. The right attitudes will translate the reform initiatives into efficiency and productivity in the civil service. It is very essential for policy makers, legislatures, judiciary and the Nigeria public to look inward, and change any negative attitude.
A dedicated and diverse team is needed to drive the vision and the model that should be able to establish to drive the reform effort, but it must have the freedom and permission to develop the right reform design. Quality not quantity matters. Small, mixed teams containing people with experience, skills and connections outside Whitehall, as well as career civil servants, can strengthen the reform design, while maintaining focus, energy and momentum. And, there is also the need to strengthen the entire democratic institutions, some of which includes the party system, electoral process, socio-political and economic institutions, office holders, the elected legislations, judiciary, and last, but important, executive should take responsibility for their action or inaction.

References


CivilService Reform in the Real World. Patterns of success in UK civil service reform By NehalPanchamia and Peter Thomas.


http://www.codesria.org/spip.php?article1737


Olaopa, Tunji (2009), Public Administration and Civil Service Reforms in Nigeria (Ibadan: University Press Plc)


