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## RESEARCH ARTICLE

# DISCIPLINE AND DISCIPLINARY PROCEDURES AND EFFECTIVE SERVICE DELIVERY IN THE NIGERIAN PUBLIC SERVICE

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### ABSTRACT

This research investigates the impact of discipline and disciplinary procedures on effective service delivery in the Nigerian public service. It examines the existing disciplinary framework, its implementation challenges, and the perceived effectiveness of disciplinary actions in improving public service performance. The study utilized the bureaucratic theory as its theoretical framework in understanding discipline and disciplinary procedures and effective service delivery in Nigeria's public service. Qualitative methods of data collection and content analysis procedures were utilised. Findings reveal significant gaps in the implementation of disciplinary measures, including weak enforcement, lack of transparency, and inadequate training for disciplinary committees. These shortcomings contribute to low morale, decreased productivity, and ultimately hinder effective service delivery. The research concludes with recommendations for improving disciplinary procedures, such as strengthening the independent oversight of disciplinary proceedings, enhancing transparency and accountability, and providing comprehensive training programs for all stakeholders involved in the disciplinary process.

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## INTRODUCTION

The government and its agencies are solely responsible for providing critical services on a global scale. Security, healthcare, education, infrastructure, water, land administration and management, and other vital services are among these. The primary purpose of government departments is to deliver these public goods and services efficiently and effectively (Mahmu, 2010). In order to do this, a system of efficient and effective public service delivery is essential to long-term economic growth, poverty alleviation, and job creation for the nation's huge population. The public sector in Nigeria is essential to the country's socioeconomic growth. It is in charge of providing residents with basic services such as security, infrastructure development, healthcare, and education (Abah and Nwokwu, 2017; Nwokwu, 2015). The honesty, professionalism, and commitment of public employees are essential to the efficacy of these services. But the Nigerian public service has been beset by issues including corruption, inefficiency, and indiscipline, which have made it difficult for it to provide services to the populace (Ishaq, 2013; Adedire, 2014; Obikeze & Obi, 2022). Maintaining high performance standards in the public sector, encouraging ethical behaviour, and guaranteeing accountability all depend on discipline and

disciplinary procedures. To address misconduct, discourage unethical behaviour, and promote a culture of integrity and professionalism, a clear and well-executed disciplinary system is necessary (Magbadelo, 2020; Awodele-Fayomi, 2015; Ishaq, 2013). With the emergence of the modern state and the development of the parliamentary system of government, the civil service or public service has evolved as the bedrock of the executive arm of government. Its main task has been the implementation or execution of government policies and programmes. In addition, it is also responsible for the management of the machinery of government and carrying out daily duties that public administration demands. The public service administration is made up of ministries, parastatals or extra-ministerial departments. There has been an impairment of discipline in the public service, and the traditional role of policy implementation has been affected adversely. The civil service commission, which is the body responsible for the effective maintenance of discipline, can hardly perform this task these days (Adabayo, 1994: 199). According to Ani (1991: 10), a good number of our public servants believe that the public service belongs to our then colonial masters, and as such, they throw discipline in the service to the winds. Under such conditions of indiscipline, productivity in the service is

adversely affected. In the words of Itrich-Drabarek (2015), the high rate of cases of indiscipline in the service has rendered the public service an ad-hoc affair instead of a permanent feature of our modern government and administration. The rules and regulations are given various interpretations to suit certain perceptions and to achieve selfish motives. Adebayo (1994: 180) believes that the high degree of indiscipline in the public service has given rise to (god-fatherism) nepotism, favouritism and inefficiency in the service. He went further to trace the cause to the attitude of our political leadership. The views of Adebayo have given credence to the fact that even public servants themselves no longer trust their colleagues. Appointments, promotions and even benefits have been offered to under-public servants against the laid down civil service rules. Worse still, the public themselves (the taxpayers) no longer have confidence in the civil servants and the necessary co-operation the public would have offered has been withdrawn. The net effect is that the entire system is suffering and is even getting to a total collapse.

This research aims to investigate the impact of discipline and disciplinary procedures on the effectiveness of service delivery in Nigeria's public service. It will examine the existing legal and regulatory framework governing discipline and disciplinary procedures, assess the effectiveness of the current system in addressing misconduct and improving public service performance, and investigate the challenges faced in the implementation of disciplinary procedures. The study will also explore the perceptions of public servants regarding the fairness, transparency, and effectiveness of the existing disciplinary system. By analysing these factors, the research will identify key areas for improvement and make recommendations for enhancing disciplinary procedures and promoting a more effective and efficient public service. This research has significant implications for improving governance, enhancing public trust, and ultimately improving the quality of life for all Nigerians.

**Statement of the Problem:** The public service has remained the bedrock of modern government for the realisation of goals and objectives. In other words, it has remained a very valuable instrument to sell government programmes to the public and to achieve concrete results in order to improve the lives and welfare of the populace. Unfortunately, the public service has been bedevilled by misconduct. For an illustration, the present-day public servants have been guilty of dishonesty, drunkenness during official hours, false claims against the government, falsification or suppression of cards, loitering, and engaging in trade or business without authority, to mention but a few (Magbadelo, 2020; Awodele-Fayomi, 2015; Ishaq, 2013). Adebayo (1994:168) admitted that indiscipline in the service had given room for inefficiency among the public servants. He blamed both the government and the public servants themselves for this disease, which had eaten deep into the fabric of the public service in Nigeria. Again, indiscipline in the public service has been used as a major reason to indict various governments in our country. Indeed, indiscipline in the public service has contributed significantly to our nation's poor economic performance. For instance, the inflation of contract awards by civil servants, embezzlement of public funds, civil servants engaging in political activities, and they even go to the extent of disclosing unofficial information, and so on (Magbadelo, 2020; Awodele-Fayomi, 2015). It is a point of fact that the public service has a great role to play in the lives of both the greatest problems; impediments to the smooth

administration of service are indiscipline. The researchers have therefore been compelled to carry out a study on discipline and disciplinary procedures on the effectiveness of service delivery in Nigeria's public service.

### Research Questions

- What is the legal and regulatory framework governing discipline and disciplinary procedures in the Nigerian public service?
- What is the effectiveness of the current disciplinary procedures in addressing misconduct and improving public service performance?
- What are the challenges faced in the implementation of disciplinary procedures in the Nigerian public service?
- What are the perceptions of public servants regarding the fairness, transparency, and effectiveness of the existing disciplinary system?

### Objectives of the study

The entire objective of the study is to investigate the impact of discipline and disciplinary procedures on the effectiveness of service delivery in Nigeria's public service. The specific objectives include:

- Analyse the existing legal and regulatory framework governing discipline and disciplinary procedures in the Nigerian public service.
- Assess the effectiveness of the current disciplinary procedures in addressing misconduct and improving public service performance.
- Investigate the challenges faced in the implementation of disciplinary procedures in the Nigerian public service.
- Explore the perceptions of public servants regarding the fairness, transparency, and effectiveness of the existing disciplinary system.

**Scope and Delimitations of the Study:** The scope of the study includes an analysis of the rules, regulations, and codes of conduct that govern the behaviour of public servants as well as the processes involved in disciplinary actions. The study will examine how discipline and disciplinary procedures help or hinder the delivery of public services to citizens, looking at factors like efficiency, responsiveness, transparency, and accountability. The study will focus on the Nigerian public service, including government ministries, departments, and agencies at the federal, state, and local levels. Due to a number of reasons, including data availability, subjectivity, prejudice, political involvement, and cultural norms, it is difficult to obtain reliable statistics on disciplinary proceedings and service delivery. Because of its vastness and complexity, results from certain case studies might not apply to the entire service. Time and money limits are two examples of resource limitations that might restrict the analysis's breadth and depth. Examining elements like effectiveness, responsiveness, openness, and accountability is necessary due to the changing nature of the Nigerian public sector. Case studies, however, could offer a more thorough comprehension of particular facets of the public service.

**Significance of the Study:** Discipline and disciplinary procedures are crucial in Nigeria's public service for

maintaining order, efficiency, and fairness; accountability; and reducing waste and corruption. They establish clear expectations and consequences for misconduct, creating a predictable environment that promotes adherence to regulations, policies, and ethical standards. Well-defined procedures ensure disciplinary actions are applied fairly, preventing arbitrary or discriminatory treatment. Disciplined public servants are held accountable for their actions, enhancing productivity and reducing waste. Disciplined actions can deter misconduct, reducing losses for the public sector. Public trust is enhanced when public servants are seen as accountable and adhering to high standards of conduct. Disciplinary procedures uphold ethical standards, prevent power abuse, and safeguard public resources from misuse or mismanagement. In essence, effective discipline and disciplinary procedures contribute to a more efficient, ethical, and trustworthy government that serves the best interests of its citizens.

Furthermore, the research on discipline and disciplinary procedures in the Nigerian public service can provide academic and practical benefits. It allows students to analyse the complexities of public sector governance in developing nations, explore theoretical frameworks, and develop skills in data collection, analysis, and policy evaluation. This research can lead to practical recommendations for improving public service efficiency and enhancing expertise in public sector reform and governance. It can also improve public services, increase public trust, contribute to national development, and empower citizens. By addressing indiscipline and poor service delivery, this research can contribute to national development goals and promote awareness of citizen rights. Thus, understanding disciplinary procedures within the Nigerian public service is not just an academic exercise but has tangible implications for the quality of life of every citizen. Notwithstanding, the implementation of disciplinary procedures in Nigeria's public service is often inconsistent, highlighting the need for research to identify factors contributing to these challenges. Subjectivity and bias can lead to unfair outcomes, so research should focus on minimising these biases. Empirical data are often lacking, and further research is needed to quantify the impact of these procedures on service delivery. Political interference can undermine these procedures, so research should explore how it affects their application. Modernisation of disciplinary procedures is also crucial to address contemporary challenges, such as technology and work changes. Cultural norms within the Nigerian public service can also influence disciplinary procedures. Addressing these gaps can lead to improved service delivery and better governance.

## REVIEW OF RELATED LITERATURE

### Conceptual Review

**Discipline:** In a broad sense, it is conceptualised as orderliness, the opposite of confusion. In a narrow sense, discipline refers to employee discipline, which is an important function of personnel management. The definition that captures all other definitions of discipline and which would be adopted for this study is that of Heiman and Hilgert (1977). To them, discipline refers to "...a state of affairs—a condition in an enterprise in which there is orderliness, in which the members of the enterprise behave sensibly and conduct themselves according to standards of acceptable behaviour as

related to the organisation." Thus, discipline from this perspective can be seen as a state of orderliness by which employees conduct themselves according to the laid-down rules and regulations of an organisation. But in the view of Ajumogobia (2007), in a seminar presentation, it is asserted that discipline in the workplace does not mean strict and technical observance of rules and regulations for the survival of the organisational system. Rather, it implies a situation where workers are expected to cooperate and behave in a normal and orderly way, as any reasonable person would expect an employee to do. This has become imperative since the goal of every organisation or establishment is to enhance workers' satisfaction that would lead to higher productivity and profitability. This can only be realised where there are sets of rules and regulations that govern the conduct of people at work. The absence of these rules and regulations will lead to anarchy and worker dissatisfaction, which is antithetical to the basic principles that informed the establishment of such an organisation in the first place. Workers who display unethical behaviour are capable of infecting others with good morals (Vonai, 2013).

Discipline also refers to punitive actions or measures taken by an organisation against an erring worker; it is punishment for wrongdoing by an employee. Discipline has some purpose, which includes correcting the errant employee, redirecting staff to the set objectives, and preventing future occurrences of such misdeeds by either the affected staff or the prospective victim. It serves as a preventive and deterrent measure against diversion of attention and goals. Disciplinary measures are guided by basic principles so as to accomplish their desired purposes. This guide needs to be followed judiciously to avoid a boomerang. The principles should be spelt out in writing and properly communicated to all employees. Oftentimes, these are contained in the general staff rules and regulations. All employees affected by a particular disciplinary measure should be informed. An organisation is expected to stipulate the standard of performance attainable and the rules employees are expected to conform to (Muhammad, 2013).

**Disciplinary Procedures:** Are formal processes used to address employee misconduct, including investigation, hearing, decision-making, and the appeals process. Investigation involves gathering evidence and interviewing witnesses. Hearings provide an opportunity for employees to defend themselves. Decision-making involves determining the appropriate disciplinary action, which may include warnings, fines, suspension, or dismissal. The Appeals Process allows employees to appeal disciplinary decisions if they feel unfairly treated (Mataimaki, 2017). A disciplinary procedure is a process for dealing with perceived employee misconduct. Depending on the severity of the transgression, there are different avenues an organisation may take to deal with the misconduct, ranging from an informal discussion with a manager to more formal proceedings that follow a set process as laid out in the employee handbook. The purpose of a disciplinary procedure is to ensure that employees reach the standards expected of them, both in terms of their behaviour and their performance. Despite the name, initiating disciplinary procedures is not all about reprimanding employees; it's also about working with employees to maintain high standards of conduct and competence, and encouraging improvement if they fall below these standards. It also provides an opportunity for employees to tell their side of the story (Mataimaki, 2017). The effectiveness and performance

of the public service depend on the existence of a systematic and well-established disciplinary procedure. It involves sanctioning erring employees and rewarding conforming employees. Discipline is considered to be good when employees willingly conform to rules and regulations in an organisation. It is bad when employees either follow the rules reluctantly or deliberately violate them. Poor discipline normally indicates the need for corrective action. Such action aimed at inhibiting undesirable behaviour in an employee is known as disciplinary action (Adesoye&Aimuan, 2019).

**Public Service:** The definition of any term depends on the way it is used and understood in practice, and so the process of understanding what a "public service" is must begin with an examination of its use. According to Magbadelo (2020) &Awodele-Fayomi (2015), it seems possible to say that the term "public services" is typically applied to activities of government in the public domain, such as policing and public health. It also includes activities done for the benefit of the public, like public service broadcasting or rubbish collection, and 'social services,' like medical care, housing, education, and social care. A public service is any service intended to address specific needs of the aggregate members of a community (Bello, 2012). Public services are available to people within a government jurisdiction as provided directly through public sector agencies or via public financing to private businesses or voluntary organisations, or even as provided by family households, though terminology may differ depending on context (Chepkilot, 2015). Other public services are undertaken on behalf of a government's residents or in the interest of its citizens. The term is associated with a social consensus (usually expressed through democratic elections) that certain services should be available to all, regardless of income, physical ability, or mental acuity. Examples of such services include the fire brigade, police, air force, and paramedics (Chepkilot, 2015). Therefore, this study considers a public service as a service that is provided by the government to people living within its jurisdiction, either directly (through the public sector) or by financing private provision of services.

**Effective Service Delivery:** This refers to the provision of high-quality, efficient, and timely public services to citizens. It encompasses various aspects, such as accessibility, responsiveness, accountability, and citizen satisfaction. Every government institution has some objectives it is set to achieve. According to Magbadelo (2020), these objectives are the public goods or deliverables that they are established to deliver to the people. Therefore, we could safely argue that the relevance of any public institution is a function of its ability to keep delivering those public goods and services effectively and efficiently in a sustainable manner to meet people's needs. Magbadelo (2020) views service delivery as the provision of services to those who need them. El-Rufai (2006) sees service delivery as the extent to which organisations and/or employees discharge their assigned responsibilities within available time, money, and other essential resources geared towards actualisation of overall organisational goals. Implicit in the foregoing definitions is that service delivery revolves around the degree to which an institution or establishment undertakes its responsibilities to achieve its set objectives. Service delivery in the Nigerian civil service is the extent to which the service can give effect to the policies and decisions of the government, whose cardinal mandate is to address the development challenges of the state. Magbadelo (2020)

submitted that the government tries to address the needs of the citizenry through the creation of structures and institutions of service. Public institutions such as ministries, extra-ministerial offices, agencies, and parastatals created by the government are more or less essentially service-driven. From the foregoing definitions, we could perceive service delivery as the ability of public institutions to effectively and efficiently perform statutory assignments allotted to them for the sole purpose of meeting their overall stated objectives. For the civil service to achieve effective service delivery, it must be alive to its responsibilities by ensuring sustainable enforcement of public policies and programs to meet the state's overall development objectives.

**Empirical Review:** Principles and Practice of Public Administration in Nigeria by Adebayo, A. (1994) is a comprehensive text that offers an overview of the subject, covering various topics such as the historical evolution of public administration in Nigeria, organisational structures, administrative processes, financial management, human resource management, and its role in development. The book is clear and accessible, making it suitable for both students and practitioners. However, the 1994 edition may not reflect the most recent developments and reforms in Nigerian public administration. A revised edition incorporating recent developments and contemporary challenges would enhance its relevance and utility. Ani, Okereke's 1991 paper, "Adopting the Right Attitude to Work in the Public Service," explores the role of employee mindset in enhancing productivity in the Nigerian public sector. It highlights the importance of a positive attitude, addressing negative attitudes, motivation, job satisfaction, leadership, and setting clear goals, providing practical strategies for attitude change. The paper's significance lies in its potential to contribute to a growing awareness of the importance of human factors in public service reform. The 2015 study by Idris S. & Alegbeleye G. I. investigates the relationship between disciplinary practices and the overall performance of the Nigeria Customs Service (NCS). The study aims to examine the types of disciplinary measures employed within the NCS, assess their effectiveness in promoting organisational goals, identify challenges or obstacles to effective disciplinary practices, and recommend strategies for improving disciplinary procedures and enhancing organisational effectiveness. Key findings may include the prevalence of certain types of disciplinary issues, the effectiveness of existing disciplinary measures, challenges in implementing disciplinary actions, and recommendations for improvement.

Victor and Maurice's 2012 study examined the relationship between staff discipline, attitude to work, and job satisfaction among lecturers in tertiary institutions in Cross River State, Nigeria. The study employed a quantitative research design, involving survey administration and data analysis using statistical methods like correlation analysis and regression analysis. Key findings suggest a positive correlation between staff discipline and job satisfaction, suggesting that a well-disciplined work environment can lead to higher job satisfaction among lecturers. The 2014 study by Knight and Ukpere aimed to assess employees' perceptions of disciplinary actions in addressing workplace misconduct, evaluate the consistency and fairness of disciplinary procedures, and identify any concerns or challenges related to their implementation. The study used a qualitative research design, including surveys, interviews, and focus groups. Key findings

revealed employees' perceptions of the effectiveness, consistency, and fairness of disciplinary procedures, as well as common challenges and concerns related to disciplinary actions. The 2022 article by Obi and Nwokwu explores the relationship between adherence to civil service rules and the effectiveness of public service delivery in Nigeria. The research objectives include analysing existing civil service rules and regulations, assessing their effectiveness within government agencies, identifying challenges and obstacles to effective enforcement, examining the impact of rule enforcement on quality and efficiency, and suggesting strategies for improving rule enforcement. Recommendations for improvement include strengthening the capacity of relevant institutions to enforce rules, improving transparency and accountability, enhancing training and development programs for civil servants, and promoting a culture of compliance within the civil service. This study contributes to the literature on public administration and governance in Nigeria by providing empirical evidence on the link between rule enforcement and effective service delivery, identifying key challenges and areas for improvement, and offering valuable insights for policymakers and administrators seeking to enhance the quality and efficiency of public service delivery.

**Theoretical Framework:** This research work will be anchored on bureaucratic theory. Max Weber's work on bureaucracy, translated into English in 1946, was one of the major contributions that have influenced the literature of public administration. The word bureaucracy is derived from two words: "bureau" and "Kratos." While the word "bureau" refers to the office, the Greek suffix "kratia or kratos" means power or rule. Thus, we use the word "bureaucracy" to refer to the power of the office. "Bureaucracy" is a rule conducted from a desk or office, i.e., by the preparation and dispatch of written documents and electronic ones. Weber (1946) presents bureaucracy as both a scientific and generic model that can work in both the public and private sectors. One of the points of argument of this theory was evident in Max Weber's rational-legal authority, which became the defining feature of organisational structures, especially government bureaucracies, to this day. It steered organisational setups to rational-based considerations, which are in line with the idea of the science of administration. In other words, Weber's bureaucracy consists of the traditional way of thinking in public administration that relied on the same "ingredients" to reform public administration based on the science of administration.

According to Weber, bureaucracy "is, from a purely technical point of view, capable of attaining the highest degree of efficiency and is, in this sense, formally the most rational known means of carrying out imperative control over human beings. The theory holds that the evolution of societies is facilitated by three types of authority identified as traditional, charismatic, and legal-rational authority. It is the legal-rational type of authority that constitutes the basis of Weber's concept of bureaucracy and the foundation of modern civilisation, as it is premised on "a belief in the legitimacy of the pattern of normative rules and the rights of those elevated to authority under such rules to issue commands. Key features of the ideal type of bureaucracy that Weber presents are division of labour, hierarchical order, written documents, well-trained staff and experts, full working capacity of the officials, and application of impersonal rules. Every theory is born refuted. Looking at the ingredients of bureaucracy may not always help organisations to reach their ideal work or the most efficient

performance. Crozier (1964) argues that some of the bureaucratic characteristics, including the impersonal rules, hierarchy, and centralisation of decision-making, might lead to the inability of the organisation to correct or change its behaviour by learning from its previous mistakes while serving the society. Work within bureaucracy has to be divided rationally into units that can be undertaken by individuals or groups of individuals diligently. The hierarchical order is necessary for separating superiors from subordinates, whereas impersonal rules are meant to ensure that bureaucrats are confined to prescribed patterns of conduct or performance imposed by legal rules. The rules are meant to facilitate a systematic control of subordinates by their superiors, thus limiting the opportunities for arbitrariness and personal favouritism. The operations of the bureaucracy "exclude irrational feelings and sentiments in favour of the detached, professional expert. Therefore, one may deduce from the foregoing that Weber believes that organisational goals can be attained if there is a science of administration that separates facts from values. The most well-known advocate of bureaucratic theory, Max Weber, outlined the ideal bureaucracy as having written records, a division of labour, standardised processes, objective decision-making, a hierarchical organisation, and merit-based hiring and advancement. This idea has been developed and improved by other academics who have examined its advantages and disadvantages. The framework of bureaucratic theory places a strong emphasis on the value of formal norms and regulations in disciplinary actions. The definition, dissemination, and implementation of these regulations will be examined in this study to determine how effective they are in the Nigerian public sector. The public service's hierarchical structure is essential for carrying out disciplinary actions, and the chain of command establishes who is authorised to do so. Fair disciplinary processes need objective, impersonal decision-making, which is supported by bureaucratic theory. Because a lack of impersonality can result in corruption and unjust behaviours, the research will evaluate how well these principles are applied in the Nigerian environment. In addition to examining the link between merit-based practices and the efficacy of disciplinary proceedings, a merit-based system is anticipated to promote efficient and disciplined public service. The investigation will also look into how well disciplinary records are kept and how that affects service delivery. In light of Weber's ideal bureaucracy, the research will also look at how effective disciplinary actions are in Nigeria. The theory does, however, recognise the possibility of anomalies and dysfunctions, including political meddling, cultural norms, and corruption.

## METHODOLOGY

This research paper adopted the qualitative method, where relevant literature was consulted, such as books, journals, magazines, newspapers, and other relevant articles. The rationale is to be informed about the subject under study and to be able to do justice to the subject since the literatures are scholarly publications. In the end, content analysis was employed.

## DISCUSSIONS AND FINDINGS

**The Legal and Regulatory Framework Governing Discipline and Disciplinary Procedures in the Nigerian Public Service:** The legal and regulatory framework

governing discipline and disciplinary procedures in the Nigerian public service is primarily outlined in the *Public Service Rules*. These rules, along with other relevant legislation like the *Constitution of the Federal Republic of Nigeria*, the *Federal Civil Service Regulations (FCSR)*, and the *Civil Service Act*, provide the foundation for disciplinary actions within the public service.

**Public Service Rules (PSR):** The Public Service Rules (PSR) in Nigeria are a set of regulations that govern the conduct and employment of public servants. They cover areas such as appointment and recruitment, disciplinary actions, promotion, leave, emoluments and allowances, conduct and ethics, conflict of interest guidelines, grievance redress, and other legal frameworks (Ikechukwu, 2024; Magbadelo, 2020; Adesoye&Aimuan, 2019; Okonkwo, 2014). These rules provide a comprehensive guide to the conduct and discipline of public servants. They outline various forms of misconduct, such as corruption, insubordination, negligence, and absenteeism, and prescribe the corresponding disciplinary actions. The Public Service Rules outline the grounds for disciplinary action, including misconduct, inefficiency, and insubordination. These grounds cover a wide range of behaviours, such as corruption, bribery, fraud, sexual harassment, abuse of office, negligence, lateness, absenteeism, and failure to meet performance targets. Insubordination includes disobedience of lawful orders, disrespect for superiors, and other acts of defiance (Magbadelo, 2020; Adesoye & Aimuan, 2019; Okonkwo, 2014; Mustapha, 2008). The disciplinary process typically involves several stages, including a preliminary investigation, issuance of a charge sheet, a disciplinary hearing, and a decision and sanction. Penalties for misconduct include warnings, fines, demotion, suspension, and dismissal from service. Warnings are formal or informal; fines are salary deductions, demotions are rank or grade reductions, suspensions are temporary removal from duty with or without pay, and dismissal from service is termination of employment. The severity of the offence determines the range of penalties that can be imposed on a public servant found guilty of misconduct (Magbadelo, 2020; Okonkwo, 2014; Adesoye&Aimuan, 2019; Ohuka, 2011; Federal Republic of Nigeria, 2008). The PSR plays a crucial role in ensuring good governance and public service delivery in Nigeria. By providing a clear framework for the conduct and employment of public servants, they help enhance professionalism and integrity, improve service delivery to the public, promote accountability and transparency in government operations, and strengthen public trust and confidence in government institutions.

Financial regulations are essential for accountability and transparency in managing public funds, focusing on principles such as probity, transparency, accountability, and value for money. They provide detailed guidelines on expenditure, revenue collection, accounting procedures, and procurement. Public officers are encouraged to be well-informed about these regulations, the Finance (Control and Management) Act, Cap. 144 Laws of the Federation of Nigeria 1990 and relevant sections of the Constitution dealing with public finance. (Federal Republic of Nigeria, 2008; FRN, 1999) The Scheme of Service outlines the career structure within the civil service, defining job roles, qualifications, promotion criteria, and career development pathways. The Office of the Head of Civil Service of the Federation maintains this document. Disciplinary procedures are provided by the Public Service

Rules, which cover the definition of misconduct, investigation procedures, types of sanctions, and an emphasis on due process and fair hearing. The aim is to maintain discipline and accountability within the civil service.

**Federal Civil Service Regulations (FCSR):** The Federal Civil Service Regulations (FCSR) in Nigeria are a set of rules and procedures that govern the daily operations of the Nigerian civil service. They cover key areas such as recruitment, appointment, discipline, promotion, leave, financial matters, conduct and ethics, administrative matters, and the Code of Conduct of the Civil Service Commission (Magbadelo, 2020; Okonkwo, 2014; Obi & Nwokwu, 2022). These regulations further elaborate on the disciplinary procedures, including the establishment of disciplinary committees, the conduct of disciplinary hearings, and the appeals process. The FCSR is closely linked to other legal frameworks governing the Nigerian public service, such as the Civil Service Act, which defines the structure, powers, and functions of the civil service, and the Public Service Rules (PSR), which provide general principles and guidelines for the conduct and employment of public servants (Magbadelo, 2020; Okonkwo, 2014; Obi & Nwokwu, 2022). The significance of the FCSR lies in their ability to ensure the efficient and effective operation of the Nigerian civil service, providing clear and consistent guidelines for all aspects of civil service operations, ensuring fairness, transparency, and accountability.

**Civil Service Act:** The Civil Service Act in Nigeria is a crucial legal framework that establishes the civil service as an integral part of the Nigerian government. It outlines the core principles, structure, powers, and functions of the civil service, emphasising merit, impartiality, and neutrality (Magbadelo, 2020; Okonkwo, 2014; Obi & Nwokwu, 2022). The Act defines the core functions of the civil service, including implementing government policies and programs, providing advice and support to elected officials, ensuring efficient public service delivery, and managing government assets. The Civil Service Commission is established as an independent body responsible for overseeing the recruitment, promotion, and discipline of civil servants (Obi & Nwokwu, 2022). The Act promotes professionalism and integrity, improves service delivery, strengthens accountability by establishing clear rules and procedures for recruitment, promotion, and discipline, and fosters public trust. The Civil Service Act is a cornerstone of good governance in Nigeria, as it enhances professionalism and integrity, improves service delivery, strengthens accountability, and fosters public trust in government institutions (Magbadelo, 2020; Okonkwo, 2014; Obi & Nwokwu, 2022). By providing a clear legal framework for the civil service, it plays a vital role in ensuring fairness, transparency, and merit-based decisions within the civil service.

**Constitutional Provisions:** The Constitution of the Federal Republic of Nigeria 1999 (as amended) is the supreme law of Nigeria, outlining the fundamental principles and structures of the government. It establishes a federal republic with a presidential system and a separation of powers among legislative, executive, and judicial branches. The Constitution guarantees fundamental human rights to all citizens, including the right to life, dignity, personal liberty, a fair hearing, and freedom of expression, movement, religion, and property ownership. It also recognises the importance of local government and citizenship (Magbadelo, 2020; Okonkwo,

2014; Obi & Nwokwu, 2022; FRN, 1999). The 1999 Constitution of the Federal Republic of Nigeria guarantees certain fundamental human rights, including the right to a fair hearing, which must be respected in all disciplinary proceedings.

**Other Relevant Legislation:** Other relevant legislation includes the Public Service Reform Act 2007, which emphasises the need for a professional and efficient public service, and the Independent Corrupt Practices and Other Related Offences Commission (ICPC) Act 2000, which provides for the investigation and prosecution of corruption cases in the public sector.

**The Effectiveness of the Current Disciplinary Procedures in Addressing Misconduct and Improving Public Service Performance:** The effectiveness of current disciplinary procedures in addressing misconduct and improving public service performance in Nigeria is a complex issue with mixed results. The current disciplinary procedures in the Nigerian public service have some positive aspects, such as providing a framework for accountability and deterring misconduct. However, significant negative aspects remain, including weak implementation, political interference, and limited impact on performance.

#### Arguments for Effectiveness

**Deterrence:** The fear of consequences can indeed be a powerful deterrent. While quantifying the precise impact of deterrence is difficult, anecdotal evidence suggests its influence. For instance, during a recent crackdown on absenteeism in the Federal Ministry of Education (as reported by several news outlets in 2023, though specific data is hard to pin down due to the nature of internal disciplinary processes), the threat of salary deductions and even dismissal reportedly led to a significant improvement in staff attendance. While the long-term effect remains to be seen, the immediate impact demonstrates the potential of disciplinary procedures to influence behaviour. A similar situation was observed in the Lagos State civil service in 2019 after the introduction of stricter measures against lateness to work, with reports of improved punctuality across several agencies (again, while widely reported, finding precise statistical data is challenging due to the way these figures are usually handled internally). These instances, while anecdotal, support the idea that the existence of disciplinary measures can create a climate of caution. It is important to acknowledge, however, that deterrence isn't always effective. High-profile corruption cases, even with subsequent disciplinary actions, continue to surface. This suggests that the perceived risk of getting caught and the severity of punishment may not always outweigh the potential gains in the minds of some individuals. Furthermore, if the enforcement of disciplinary procedures is inconsistent or perceived as biased, its deterrent effect will be diminished (Obi & Nwokwu, 2022).

**Maintaining Standards:** Disciplinary procedures play a crucial role in upholding professional standards. Consider the case of the Medical and Dental Council of Nigeria (MDCN). They regularly investigate cases of professional misconduct, ranging from negligence to quackery. Their power to suspend or revoke licenses (as they did in several well-publicised cases in 2022 and 2023, reported by various news outlets) acts as a powerful mechanism for maintaining standards within the

medical profession. Similarly, professional bodies like the Nigerian Bar Association (NBA) have disciplinary committees that address ethical breaches by lawyers. The public scrutiny these cases often receive further reinforces the importance of upholding professional standards. These examples highlight how disciplinary procedures, when effectively applied, contribute to maintaining public trust in these professions. However, the effectiveness of these procedures is sometimes hampered by delays in investigations and a lack of resources. This can lead to situations where cases drag on for years, undermining the purpose of maintaining standards and eroding public confidence.

**Promoting Accountability:** The principle of accountability is central to effective public service. The case of the Independent Corrupt Practices and Other Related Offences Commission (ICPC) in Nigeria illustrates this. While the ICPC's effectiveness is often debated, they have secured convictions in several cases of corruption and abuse of office within the public sector. These actions, even if they represent a small fraction of the overall problem, send a signal that public servants will be held accountable for their actions. The publicity surrounding these cases, while sometimes criticised as being selective, nonetheless contributes to a culture of accountability, however fragile. A significant challenge, however, is the politicisation of disciplinary processes. Allegations of selective enforcement and protection of politically connected individuals can undermine the perception of fairness and erode public trust in the system.

**Fairness and Consistency:** Ensuring fairness and consistency in disciplinary actions is paramount. A lack of consistency can lead to resentment, low morale, and even legal challenges. For example, if two employees commit similar offences but receive vastly different punishments, it can create a sense of injustice and undermine the credibility of the disciplinary system. While anecdotal evidence suggests inconsistencies exist, concrete data is hard to come by, given the confidential nature of personnel records. However, reports of labour disputes and legal challenges to disciplinary actions (often reported in the media, but without detailed specifics due to confidentiality) suggest that this remains a challenge. One area where improvements are needed is in ensuring transparency in disciplinary procedures. Clear guidelines, accessible to all staff, and a well-defined appeals process are essential for promoting fairness and consistency. Furthermore, training for those responsible for administering disciplinary procedures is crucial to ensure that they are applied fairly and without bias.

#### Arguments for Ineffectiveness

**Weak Enforcement:** The problem of weak enforcement is pervasive (Ipinlaiye, 2001; Ezeodili, 2009). While regulations exist, their application is often inconsistent and selective. For example, several reports (e.g., BudGIT's tracking of abandoned projects, various Auditor-General's reports) have documented instances of public officials implicated in financial mismanagement, yet disciplinary action is often slow or non-existent. Cases can drag on for years, with individuals remaining in their positions while "investigations" are ongoing. This lack of swift and decisive action undermines the deterrent effect of the disciplinary system. A specific example, though difficult to fully document due to the nature of these processes, is the recurring issue of "ghost workers" on government payrolls. While periodic "headcount" exercises

reveal these fraudulent entries, actual prosecutions and meaningful disciplinary actions against those responsible are often lacking, suggesting a systemic weakness in enforcement.

*ii. Political Interference:* Political interference is a major obstacle to effective discipline (Ishaq, 2013; Adedire, 2014; Obikeze & Obi, 2022). High-profile cases of corruption often involve individuals with political connections. The case of Abdulrasheed Maina, the former Chairman of the defunct Pension Reform Task Team (PRTT), who was accused of massive pension fraud, exemplifies this. His reinstatement into the civil service, despite being a fugitive, and the subsequent political manoeuvring surrounding his case, highlighted how political influence can shield individuals from accountability. While Maina was eventually convicted, the initial attempts to protect him demonstrate the power of political interference. This type of interference creates a culture of impunity, where individuals believe they are above the law.

*Lengthy and Cumbersome Procedures:* The bureaucratic processes involved in disciplinary actions are often lengthy and cumbersome. Cases can take years to resolve, discouraging victims from reporting misconduct and creating a sense of frustration among those seeking justice. This delay also allows individuals who have committed misconduct to remain in their positions, potentially causing further damage (Ishaq, 2013; Adedire, 2014; Obikeze & Obi, 2022). A recent report by a civil society organisation (e.g., SERAP) highlighted the case of a civil servant who was suspended for alleged misconduct but remained on half-salary for several years while his case was "under investigation," never being formally charged or cleared. This kind of bureaucratic limbo can be devastating for individuals and their families.

*Lack of Transparency and Public Trust:* Disciplinary proceedings are often shrouded in secrecy, raising concerns about fairness and impartiality. The lack of access to information about ongoing investigations and the outcomes of disciplinary hearings fuels suspicion and erodes public trust (Ipinlaiye, 2001; Ezeodili, 2009). For example, when a public official is "quietly removed" from their position without any official explanation, it can lead to speculation and rumours, damaging the reputation of both the individual and the institution. A more transparent process, where information is readily available (while respecting confidentiality where necessary), would enhance public trust and demonstrate a commitment to accountability.

*Focus on Punishment over Correction:* The current system often emphasises punitive measures rather than corrective ones. While punishment is necessary in some cases, a more balanced approach would focus on rehabilitation and behaviour change (Ishaq, 2013; Adedire, 2014; Obikeze & Obi, 2022). For instance, instead of simply dismissing an employee for a minor infraction, providing training and counselling might be a more effective way to address the underlying issues and prevent future misconduct. The lack of emphasis on correction can lead to resentment and a culture of fear, hindering efforts to improve public service performance. A more constructive approach would involve a combination of disciplinary measures and opportunities for professional development.

**The Challenges Faced in the Implementation of Disciplinary Procedures in the Nigerian Public Service:** The implementation of disciplinary procedures in the Nigerian

public service faces numerous challenges, hindering their effectiveness in addressing misconduct and improving service delivery. These challenges include:

*Inadequate Training:* Many public servants involved in disciplinary processes, from supervisors to HR personnel and disciplinary committee members, lack adequate training on relevant laws, regulations, and procedures. This often leads to procedural errors, inconsistent application of rules, and ultimately, unfair outcomes (Ishaq, 2013; Adedire, 2014; Obikeze & Obi, 2022). Imagine a supervisor who, without proper training, initiates disciplinary action against an employee for what they perceive as insubordination. The supervisor might not follow the correct steps for documentation, fail to give the employee adequate opportunity to respond to the allegations, or misinterpret the relevant regulations. This can lead to a flawed process, potentially resulting in the dismissal of the case on procedural grounds or even legal challenges. This lack of training can undermine the entire disciplinary system. When those responsible for implementing the procedures don't fully understand them, it creates a system ripe for abuse, inconsistency, and ultimately, a lack of respect for the process. It also erodes trust among public servants, who perceive the system as arbitrary and unfair (Ipinlaiye, 2001; Ezeodili, 2009).

*Lack of Resources:* Inadequate budgetary allocations and a shortage of trained personnel severely hamper the effectiveness of disciplinary procedures. Consider a situation where a serious case of fraud is discovered within a government agency. Due to limited resources, the agency might lack the funds to hire a qualified investigator to properly gather evidence. They might also lack the legal expertise to navigate the complex legal procedures involved in prosecuting the case. The result could be a poorly conducted investigation, leading to a weak case and ultimately, the perpetrator escaping justice. A lack of resources can cripple the entire disciplinary process, from investigation to prosecution. It can lead to delays, prevent thorough investigations, and ultimately, allow misconduct to go unpunished. This not only undermines the deterrent effect of the system but also erodes public trust in the ability of the government to hold its employees accountable (Ipinlaiye, 2001; Ezeodili, 2009).

*Political Interference:* Political interference is a major obstacle to the fair and effective implementation of disciplinary procedures. Imagine a scenario where a high-ranking official is accused of corruption. Due to their political connections, they might be able to influence the investigation, manipulate evidence, or even pressure the disciplinary committee to deliver a lenient verdict. This kind of interference can shield powerful individuals from accountability, even in cases of serious misconduct. Political interference creates a system where some individuals are above the law. It undermines the principle of equality before the law and erodes public trust in the integrity of the disciplinary system. When public servants see that those with connections are protected from consequences, it fosters a culture of impunity and discourages ethical behaviour (Ishaq, 2013; Adedire, 2014; Obikeze & Obi, 2022).

*Corruption:* Corruption within the disciplinary process itself is a significant challenge. Consider a situation where a staff member reports a case of fraud to their supervisor. The supervisor, who might be complicit in the fraud, could then

attempt to bribe the staff member to remain silent. Or, they might use their influence to ensure that the investigation is mishandled or that the case is dismissed. This kind of corruption can undermine the entire disciplinary process and protect corrupt officials from facing justice. Corruption within the disciplinary system can take many forms, from bribery and extortion to the manipulation of evidence and the intimidation of witnesses. It erodes public confidence in the system and creates a culture where corruption thrives. When individuals believe that the disciplinary process itself is corrupt, they are less likely to report misconduct, and those who do engage in misconduct are less likely to be held accountable (Ishaq, 2013; Adedire, 2014; Obikeze & Obi, 2022).

### **The Perceptions of Public Servants Regarding the Fairness, Transparency, and Effectiveness of the Existing Disciplinary System**

Public servants in Nigeria often harbour mixed perceptions regarding the fairness, transparency, and effectiveness of the existing disciplinary system. Here's a breakdown of common concerns:

#### ***Perceived Lack of Fairness***

***Inconsistency in Application:*** Public servants often share stories (though these are difficult to formally document due to fear of reprisal) of colleagues receiving vastly different punishments for similar offences. For example, one employee might be dismissed for lateness, while another, connected to a superior, receives only a warning for the same infraction. This perceived inconsistency breeds resentment and undermines trust. It's not just about major offences; even in minor infractions, the perception of unequal treatment can be damaging.

***Subjectivity and Bias:*** Many public servants believe that personal relationships and biases play a significant role in disciplinary outcomes. They may suspect that a supervisor's dislike of an employee, rather than the actual evidence, drives a disciplinary action. Or, they might believe that those connected to influential figures are shielded from consequences. While proving these allegations is difficult, the widespread perception of bias erodes confidence in the system.

***iii. Lack of Due Process:*** Public servants often express concerns about the lack of due process in disciplinary hearings. They might feel they weren't given adequate time to prepare their defence, that they were denied access to crucial evidence, or that the hearing panel was biased against them. For instance, a civil servant might be suspended without a clear explanation of the charges or a fair opportunity to present their side of the story. This lack of due process can lead to feelings of powerlessness and injustice.

#### ***Perceived Lack of Transparency***

***Lack of Clear Communication:*** Many public servants report a lack of clarity regarding disciplinary rules and procedures. They may be unsure what constitutes misconduct or what the potential consequences are. This lack of clear communication can create anxiety and uncertainty. For example, a junior staff member might be unsure whether posting a comment on social media critical of government policy would be considered misconduct.

***Lack of Openness in Investigations:*** Public servants often perceive disciplinary investigations as being conducted in secrecy. They might feel they are kept in the dark about the allegations against them and denied the opportunity to participate in the investigation process. This lack of transparency can fuel suspicion and mistrust. For instance, an employee might be investigated for alleged fraud without being informed of the specific allegations or allowed to present evidence in their defence.

***Lack of Public Disclosure:*** The outcomes of disciplinary proceedings are often not publicly disclosed. This lack of transparency can lead to rumours and speculation, and it can also undermine accountability. For example, if a senior official is dismissed for corruption but the details of the case are not made public, it can create the impression of a cover-up.

#### ***Perceived Lack of Effectiveness***

***Weak Enforcement:*** The perception of weak enforcement is a major concern. Public servants often witness cases of misconduct going unpunished, particularly when powerful individuals are involved. This undermines the deterrent effect of disciplinary rules and encourages further misconduct. For example, a staff member might be aware that a supervisor is engaging in corrupt practices but believes that reporting it would be futile because the supervisor is "untouchable."

***Lengthy and Cumbersome Procedures:*** The lengthy and cumbersome nature of disciplinary procedures is another major concern. Cases can drag on for years, creating frustration and a sense of injustice. This can discourage reporting of misconduct and allow individuals who have committed misconduct to remain in their positions. For instance, a case of alleged embezzlement might take years to resolve, during which time the individual involved remains in a position of authority and has the potential to cause further harm.

***Focus on Punishment over Correction:*** Some public servants feel that the disciplinary system is overly focused on punishment rather than correction and rehabilitation. They believe that a more balanced approach, which includes opportunities for training and professional development, would be more effective in the long run. For example, instead of simply dismissing an employee for a minor offence, providing them with training on ethics and professional conduct might be a more constructive approach.

## **CONCLUSION AND RECOMMENDATIONS**

The research reveals a complex interplay between discipline and disciplinary procedures in Nigeria's public service, with significant challenges hindering their effective implementation. Key findings include inadequate implementation, lack of transparency, and inadequate training for disciplinary committees. These weaknesses contribute to a culture of impunity, allowing public servants to engage in misconduct with minimal consequences. These shortcomings negatively impact service delivery, leading to low morale, decreased productivity, and a decline in public trust. The research calls for comprehensive reforms to enhance the effectiveness of disciplinary procedures. Key recommendations include strengthening independent oversight, improving training and capacity building for all

stakeholders involved, enhancing transparency and accountability through clear guidelines, timely investigations, and public disclosure of outcomes, modernising disciplinary procedures to reflect contemporary best practices, and promoting a culture of integrity. By implementing these recommendations, Nigeria can create a more robust and effective disciplinary system that promotes accountability, enhances service delivery, and restores public trust in its public service. The research proposes several measures to strengthen public service rules, including reviewing and updating them, ensuring easy access to PSRs, and promoting ethical conduct. It also suggests establishing independent disciplinary committees, ensuring transparency and fairness, and streamlining processes. It also advocates for promoting accountability and ethical conduct through leadership by example, whistleblowing mechanisms, performance management systems, and ethical training. The study also suggests leveraging technology for digital record keeping, e-governance, and monitoring and evaluation. It also emphasises improving worker welfare through timely salary payments, improved work environments, and adequate benefits such as healthcare and retirement. The aim is to reduce corruption and improve service delivery, while ensuring transparency and accountability. To address these challenges, the following recommendations can be considered:

- *Review and Amendment of Existing Legislation:* The PSR, FCSR, and other relevant legislation should be reviewed and amended to address ambiguities, enhance procedural safeguards, and provide greater clarity on specific offences.
- *Capacity Building:* Training Programmes should be conducted for disciplinary committee members, human resource personnel, and legal advisors to enhance their understanding of the legal and regulatory framework and improve the quality of disciplinary proceedings.
- *Strengthening Independent Oversight:* Independent oversight mechanisms should be established to ensure fairness, transparency, and accountability in disciplinary proceedings.
- *Promoting a Culture of Compliance:* A culture of compliance with rules and regulations should be promoted through awareness campaigns, ethics training, and leadership development programs.
- *Improving Access to Justice:* Public servants should be provided with better access to legal representation and other forms of legal assistance in disciplinary proceedings.

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