



## Article

# **The Public Service Rules and the Conduct of Civil Servants in Imo State**

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**Egboh, E. A. & Ugbaja, C.I.**  
**Department of Political Science,**  
**Nnamdi Azikiwe University Awka,**  
**Anambra, Nigeria.**

## **Abstract**

Many people in Imo State view the state Civil Service as a fraudulent body which squanders the resources of the state without making any appreciable returns to the coffers of the state. This perception is aggravated by the lack of accountability among civil servants. However, the Imo State Public Service Rules (PSR) prescribes sanctions for such lapses in the service. This work, therefore, assessed the extent to which the PSR held civil servants accountable for different acts of wrongdoing in the period 2011-2023. The Public Choice Theory was the framework of analysis for the work. The questionnaire and the interview were the main sources of data collection, while the data were analyzed by descriptive statistics. The findings show that the PSR had no significant effect on the conduct of civil servants. To forestall this trend, the researcher recommended that workers indicted of wrongdoing should be sanctioned as provided for in the PSR and the Financial Instructions (FI).

## **Keywords:**

Accountability, Civil Service, Conduct, Public Service Rules, Sanctions, Wrongdoing.

## **Introduction**

The civil service in Nigeria is beset with many problems. It does not enjoy a favourable reputation among the people. It also faces the problem of lack of capacity to enforce accountability amongst its staff who are indicated of wrongdoing, even though the PSR, which is the major instrument of enforcing accountability clearly specifies sanctions for breach of rules and regulations in the service.

In this regard, Olufs (2016) defined Administrative Responsibility as the control of officials in administrative organizations by other officials with legitimate political authority. As a concept in Public Administration, Administrative Responsibility is important because it imposes some degree of restraint on the conduct of public servants especially when they know that their acts of misconduct will be sanctioned.

## **Corresponding Author:**

Egboh, Edmund Amaechi, Department of Political Science, Nnamdi Azikiwe University Awka. Email: [eddyegboh@yahoo.com](mailto:eddyegboh@yahoo.com)

The Federal Government Public Service Rules (2023) states that PSR in Nigeria consists of policies and guidelines which define the relationship between public servants and the government. It spells out the conditions of service and procedures for human resources management in the service.

Babalola (2022) states that the PSR connotes standard operating procedures and policy statements which regulate work and the conditions of service in the public sector. He states that the PSR is fashioned to serve as a work guide, a manual or handbook for administrative practice in the civil service. He asserts that it is formulated to provide operational frameworks, regulatory principles, a charter of rights, privileges and duties of civil servants, as well as details of sanctions for erring workers.

The Civil Service is the most significant component of the public service. It is made up of ministries, departments and extra-ministerial agencies, which are all manned by civil servants. However, many of these civil servants are motivated by self interest in the execution of their duties, and not by the achievement of the goals of the service. This leads many of them to breach the rules of the service for personal gain.

Given this background, there is a growing concern among scholars of the critical role due process and accountability play in the sustenance of formal organizations, especially in the public sector. Schillemans (2015) states that public accountability is the hallmark of modern democratic governance. He states that democracy would be meaningless if people occupying public positions cannot be held accountable for their actions, policies, expenditure, decisions and omissions.

In the Imo State Civil Service lack of accountability leads to fraud, abuse of office, and poor budget implementation which leads to low quality of infrastructural and human capital development (Okpala, 2012, Ifeanyichukwu 2017). In view of this, accountability of civil servants in Imo State has become a major concern due to the failure of control agencies such as Civil Service Commission and the Public Accounts Committee of the Imo State House of Assembly to hold civil servants accountable for various forms of misconduct in the service.

Furthermore, the Imo State Public Service Rules (2001) contains statutory provisions for enforcing sanctions for all manner of misconduct in the service. However, most of the time, the provisions of the PSR are flouted and culprits are not held accountable for these acts of misconduct. This situation, in the view of Obi & Nwoku (2022), is due to the fact that the provisions of the PSR are not effectively enforced due to poor motivation of workers, government policies that run contrary to the rules, as well as other human factors.

As Dick-Sagoe (2020) stated, the important role administration plays in the overall development of society cannot be overlooked. Invariably, the success or failure of development programmes or projects undertaken in a developing country like Nigeria depends to a large extent on the quality and competence

of its civil servants, in view of this, the study of the civil service is an important and significant aspect of modern public administration. When we apply this premise to the Imo State Civil Service, the need for studying it in this context becomes glaring as it shows the level of accountability that exists in the Imo State Civil Service.

### **Research Question**

How was accountability enforced in the Imo State Civil Service in the period of the study?

### **Literature Review**

#### **The Civil Service**

Agbodike, et al (2015), state that the civil service is the engine room of modern government, which comprises of career officials who are recruited in a civil capacity to serve the citizenry in a transparent and accountable manner. They state that the civil service is operated on the lines of Weber's ideal type bureaucracy, which implies that impersonal rules suggest that there are ethical codes that guide the conduct of officials in the discharge of their duties. Consequently, it is expected that public servants should be accountable to one another and to members of the public for their actions and decisions.

Furthermore, Agbodike, et al., state that military rule in Nigeria led to developments in the civil service which made civil servants to abandon their professional roles, which caused people to view the service as corrupt, unaccountable and self-serving. They assert that developments in the international scene now demand for more transparency and accountability in the manner in which civil servants serve the public. The basic question the authors sought to answer is "how can the civil service be re-engineered to promote good governance that will minimize political and economic decline and avail the citizens of the dividends of democracy". They sought to provide answers to this problem by proposing that the civil service can overcome its lapses by discarding its traditional cloak of anonymity and non-partisanship and take the bull by the horns by promoting administrative and political accountability.

Babalola (2022) states that the civil service refers to the career officials of different arms of government like the presidency, the ministries, the extra-ministerial departments, the National Assembly, the judiciary and others. He states that the civil service is the operational arm of the government which is charged with the analysis, implementation and administration of public policy. In his own conception, the civil service serves as a bridge between the government and the citizens and where it is inefficient, it would constitute a barrier between the government and the people.

The Public Service Rules of the Imo State Civil Service (2001) defines discipline in terms of the following categories of wrongdoing:

- i. General Inefficiency: a series of omissions or incompetence which shows that an officer is incapable of efficiently discharging the duties of his office.
- ii. Misconduct: a specific act of wrong-doing or improper conduct which can be investigated and proved
- iii. Serious Misconduct: a specific act of serious wrong doing which can be investigated and proved.

From these definitions, it is clear that not all wrong-doing or misconduct in the service constitute corruption, although corruption is a pervasive and dysfunctional aspect of the civil service. Undoubtedly, corruption would be categorized as serious misconduct in the service.

Atakpa and Akpan (2023) observe that over the years, the Nigerian Civil Service has been ensnared in a myriad of problems among which are poor accountability, poor professional standards, a culture of waste and an over bloated staff structure, all of which are forms of corruption. They go further to show that without the active collaboration of civil servants no act of corruption by politicians can succeed.

### **Imo State Public Service Rules (PSR)**

The Imo State Public Service Rules (2001) consists of twenty-three chapters, each dealing with a specific aspect of the rules and regulations governing the conduct of civil servants in the state. Each chapter is divided into sub-heads and rules dealing with the different matters that fall under the purview of the chapter. Each rule is numbered for ease of reference.

The main objective of the PSR is to enforce compliance of civil servants with the principles of Administrative Responsibility and Accountability. The rules also specify sanctions to be applied in the event of the breach of the rules by civil servants.

### **The Concept of Accountability**

Edeh et al (2018) regard accountability as an aspect of financial management. They are concerned with financial accountability for money and property. This pervades all organizations where funds and property are involved and applies to both high-status officials and the rank and file. Thus, accountability is accomplished by a system of internal checks based on record keeping, which is common in all large organizations.

Cendon (1999), provided us with one of the most comprehensive discussions of the concept of accountability in Public Administration. In his analysis, the basis of the liberal democratic state is its conception as a complex structure of checks and balances, addressed mainly at preventing the abuse of power and protecting the sphere of freedom and personal development that corresponds to each individual

and the society at large. Condon conceives of the term responsibility in three broad categories – capacity, accountability and liability. We shall concentrate on his formulations of responsibility as accountability. For him, accountability refers to the obligation that public officials have to provide information, explanations and or justifications to a superior authority – internal or external, for their performance in the execution of their duties. He stresses that the concept of responsibility more relevant to his work is that of responsibility as “accountability”. Therefore, he categories accountability into four forms; viz, political, administrative, professional and democratic.

Ijewereme (2022) states that accountability presupposes that an official or person who has been assigned duties should be held responsible for their actions and the consequences emanating from them. He locates accountability in an organizational context when he defines it as an official’s personal obligation to carry out assigned duties and be responsible for results or outcomes arising from them.

### **Enforcement of Accountability in the Civil Service: The Civil Service Commission**

Ogunna (1999) stated that the Civil Service Commissions that operate at the state level in Nigeria were established by Section 197 of the 1999 Constitution of the Federal Republic of Nigeria (as amended). This constitutional status was aimed at guaranteeing autonomy and ensuring impartial operations of the commission. Part II of the Third Schedule of the same Constitution provided that the commission shall comprise of a Chairman and not less than two and not more than four persons who must in the opinion of the Governor be persons of unquestionable integrity and sound political judgment. The functions of the commission include the following:

- i. Appointments into the service
- ii. Promotions and advancements.
- iii. Deployments of officers to Ministries, Departments and Agencies (MDAs).
- iv. Discipline of all staff of the service.
- v. Retirement of staff.

Ogunna also stated that in its actual operations, the commission delegates some of its functions to Personnel Management Boards (PMBs) domiciled in the respective ministries and extra-ministerial departments of the service. The Civil Service Commission is the body responsible for enforcing accountability in the Civil Service.

### **Corruption**

Aluko (2006) defines corruption as the act of illegally diverting resources (especially money) meant for the good of the citizenry in a defined geographical area by a privileged individual or a group for personal use, presumably for self-aggrandizement. Simply put, he views corruption as the use of public resources

for the achievement of personal ends. Olaniyan (2014) states that corruption is an insidious plague that destroys the capacity of government to protect and improve the plight of the people it is constituted to serve. Furthermore, he views it as an abuse of human rights since it violates article 21 of the African Charter. He argues that corruption compromises human and people's rights because it undermines the integrity and impartiality of government and the enforcement of the rule of law and human rights. In the context of this study, corruption in the public service is a clear validation of the Public Choice Theory which states that public officials are motivated by self interest in the performance of their duties.

### **Difference Between The Public Service And The Civil Service**

At this juncture, it is important to highlight the difference between the public service and the civil service. The public service is a broader concept than the civil service. The public service includes the civil service, the military and the statutory corporations and commissions. In effect, not every public servant is a civil servant, but every civil servant is a public servant. (<https://www.learnnigerianlaw.com/learnadministrative-law/publicservice>).

To conclude this section, it is clear that some of the major problems of the civil service in Nigeria include lack of due process, ineffective leadership, and limited accountability for official action and public expenditure which leads to lack of growth and development in the society. These problems abound in the civil service because little or no effort has been made to empirically study the effect of rules and regulations on the conduct of civil servants.

### **Theoretical Framework**

The Public Choice Theory was adopted as the framework of analysis for the work. The founding father of the theory is James M. Buchanan. The main thesis of the theory was articulated in the book "The Calculus of Content: Logical Foundations of Constitutional Democracy" which he co-authored with Gordon Tullock, published in 1962. The theory applies economic principles like the "rational actor" model of economic theory to politics. The main thrust of the theory is that public officials are usually disposed to maximize personal gain rather than to promote public interest or social benefit.

A broader categorization of the basic components of the theory are the three elements of Buchanan's methodology of public choice as identified by Udehn (2002). These are;

- i. Self-interest motivation or behavioral symmetry, which is the psychological theory that all human behavior is motivated by self interest. It holds that people's actions, even at work are based on the expectation of personal gain.

- ii. Politics as Exchange, or politics without romance (Buchanan's definition of public choice), which incorporates elements of rational choice theory and individual utility maximization. Accordingly, the ultimate exchange process is not based on some romantic notion of public service, but on personal interest. In effect, it dispels the wishful presumption that politicians are motivated by a desire to promote the common good.
- iii. Methodological Individualism can be viewed as the inclination to study the balance between self-centered interests and the importance given to other people as well as institutional commitments. Unfortunately, some staff of the civil service exhibit some of the tendencies mentioned above and this portrays the service negatively. This situation is seen in many ministries, departments and agencies (MDAs) of the Imo State Civil Service where the interests of top officials like Commissioners, permanent secretaries, directors, etc, take priority over the payment of emoluments, allowances and entitlements of staff (Jibir and Aluthge, 2019).

There is no doubt that the public choice theory has made a significant impact in the study of political science, indeed many scholars consider it as one of the most important developments in the social sciences in the last few decades. It has proved useful as an analytical tool for many scholars to evaluate political choices and decision making globally. However, in spite of all these, some scholars have criticized its utility as a tool of analysis in political science. In this regard, Udehn (2002) stated that there are definite limits that public choice cannot overcome as an economic approach to the study of politics: indeed, there are certain phenomena it is not equipped to deal with well, and some phenomena it cannot handle at all. His argument against the theory is that political man acts with regards to both group interests and public interest in ways that deny purely selfish motives. He is opposed to the orthodox public choice paradigm which equates self-interest with selfishness. Further, he argues that the use of economic policy to predict the outcome of elections does not prove that politicians are selfish; it only proves that they are human. Udehn concludes that power and authority are integral to politics, yet they are beyond the realms of economics: authority involves adherence to rules and regulations and, therefore, is not subject to rational choice analysis.

## **Research Methodology**

### **Scope of the Study**

The study focused on determining the effect of the Imo State Public Service Rules (PSR) on the conduct of civil servants in the state, hence the reference to the Imo State Civil Service. The researcher adopted a descriptive survey research design for the study.

### Area of the Study

Imo State of Nigeria was the area of the study. However, the actual research was based on ten randomly selected ministries in the Civil Service. Imo State is located in the South East geo-political zone of Nigeria. It has a population of 2,485,499 people and an area of 5,289.49 square kilometers as recorded by the 1991 census (Ifeanyichukwu, 2017). A projection of this figure over a twenty five year period gives a population of about four million people.

### Sampling Techniques

The Taro Yamane (1967) sampling technique was used to determine the sample size at 95% confidence level. The simple random and stratified sampling techniques were used for the study and thereafter, 37 questionnaires were administered in each of the ten randomly selected ministries to senior civil servants.

### Population and Sample Size

The population for the study was the total number of civil servants in the Imo State Civil Service as at 31<sup>st</sup> December 2025, as shown below:

Total number of civil servants – 4212

(Source: Nominal Roll of Imo State Civil Service, 2023).

In order to determine the sample size, the researcher adopted the Taro Yamane (1967) sampling technique as shown below:

$$n = \frac{1 + N}{(e)^2}$$

(95% confidence level and

P = 0.5 levels of maximum variability are assumed).

Where n=sample size, N is the population size and e is the level of precision (allowable error) which is 5% or 0.05

Therefore,

N = 4212

$$(e)^2 = (0.05)^2$$

While 1 is constant

$$n = \frac{4212}{1 + 4212 (0.05)^2}$$

$$= \frac{4212}{1 + 4212 (0.05)^2}$$



$$1+4212 (0.0025)$$

$$= \frac{4212}{11.53}$$

$$= 365.308$$

Approximately = 365.

Therefore, the sample size was 365 senior staff of the Imo State Civil Service.

### Methods of Data Collection

The questionnaire was the major instrument of data collection for the study. The question items in the questionnaire were based on the five (5) point Likert Scale. Personal interviews were also held with five directors in the selected ministries and with two staff of the Public Complaints Commission.

### Data Analysis

Data generated from the respondents were analyzed by descriptive statistics to aid understanding.

### Research Findings

Three question items were posed to the respondents to choose one response, to determine the effect of the Public Service Rules on the Conduct of Civil Servants in the Imo State Civil Service, as follows:

**Table 1: “Officers indicted for misconduct were interdicted pending determination of the matter”**

Responses	Frequency	Percentage %
Strongly Agree	23	7
Agree	98	28
Undecided	66	19
Disagree	130	38
Strongly Disagree	28	8

### Source Field Survey 2024

From table 1, we can see that 23 persons (7%) strongly agreed with the assertion and 98 persons (28%) agreed, while 66 persons (19%) were undecided. 130 persons (38%) disagreed, while 28 persons (8%) strongly disagreed. We can deduce that more persons (46%) strongly disagreed or disagreed with the statement, while 35% of the respondents agreed or strongly agreed. Therefore, we can infer that officers indicted for misconduct in the Imo State Civil Service were not always sanctioned according to the provisions of the PSR.

**Table 2: “Officers indicted for serious misconduct were dismissed from service.”**

Responses	Frequency	Percentage %
Strongly Agree	24	7
Agree	77	22
Undecided	69	20
Disagree	140	41
Strongly Disagree	35	10

**Source: Field Survey 2024**

Table 2 shows that 24 persons (7%) strongly agreed with the statement and 77 persons (22%) agreed, while 69 persons (20%) were undecided. 140 persons (41%) disagreed and 35 persons (10%) strongly disagreed. A total of 29% of the respondents strongly agreed or agreed with the assertion, while 51% strongly disagreed or disagreed. We can deduce from this table that officers indicted for serious misconduct were not always severely sanctioned according to the provisions of the PSR.

**Table 3: “The duties and responsibilities of civil servants were clearly outlined within the period of the study”**

Responses	Frequency	Percentage %
Strongly Agree	23	7
Agree	84	24
Undecided	84	24
Disagree	130	38
Strongly Disagree	24	7

**Source: Field Survey 2024**

Table 3 shows that 23 persons (7%) strongly agreed with the assertion and 84 persons (24%) agreed, while 84 persons (24%) were undecided. 130 persons (38%) disagreed, while 24 persons (7%) strongly disagreed. 31% of the respondents strongly agreed or agreed with the statement while 45% strongly disagreed or disagreed. It is obvious from these figures that the work schedules of the staff of the Imo State Civil Service were not always clearly outlined within the period of the study.

### Discussion of Findings

The study showed that the Public Service Rules had no significant effect on the conduct of civil servants in the Imo State Civil Service during the period of the study. In effect, the Imo State Public Service Rules was the major instrument for addressing the breach of rules and regulations in the service. It specifies

sanctions for different forms of misconduct in the service. However, it did not provide enough deterrence for officers to refrain from acts of misconduct in the service.

It is important to note that the PSR embody model rules and regulations designed to guide official conduct in all arms of the public service. Apart from serving as a code of conduct, the PSR also prescribes sanctions for breach of the rule of the service. Unless the rules are enforced by conscientious and disciplined officers, the PSR will serve no useful purpose in influencing the conduct of workers. It is expected therefore, that those who enforce accountability will judiciously expedite action in this regard to give effect to the provisions of the PSR.

In addition, since the Schedule of Duties of workers were not always clearly stated, it made room for ambiguity in job description which obviously has negative implications for productivity, efficiency and effectiveness in the service.

These findings align with the views of other scholars who posited that the Civil Service in Nigeria had failed to live up to expectations. These scholars include.

Agbodike et al (2015), Ogunna (1999), Akume (2014), Ibietan (2013), and Onyebuchi (2012).

## **Conclusion**

An obvious conclusion from this study is that there was considerable flouting of the tenets of accountability in the Imo State Civil Service within the period of the study. This suggests clearly that the enforcement of accountability in the Imo State Civil Service was hindered by weak institutional control of civil servants.

## **Recommendations**

1. The Management of the Imo State Civil Service should strictly enforce sanctions for all forms of wrongdoing in the service. These sanctions are contained in the Imo State Public Service Rules (PSR), the Financial Instructions (FI), some Establishment circulars and guidelines from both federal and state agencies.
2. The Schedule of Duties of staff of each ministry should be clearly spelt out so that each civil servant, especially the senior officers and the management cadre should be aware of their areas of responsibility. Ideally, this should be done cadre by cadre in each unit or department of every ministry.
3. The political and administrative leadership of the Imo State Civil Service should be united in the efforts to curb the high incidence of misconduct among civil servants in the state.

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#### Authors Bio

**Edmond Amaechi Egboh** is a Professor of Political Science at the Nnamdi Azikiwe University, Awka, Anambra State, Nigeria. He holds a Ph.D in Political Science amongst other degrees and certifications. His research interests include Politics, Government, and Public Administration. He has published books, and articles in scholarly journals.

**Charles Ikechukwu Ugbaja** retired from the Imo State Public Service as a Director of Administration. He holds the B.Sc and M.Sc Degrees of the Universities of Nigeria and Ibadan, respectively. He is a Ph.D candidate, at the Department of Political Science, Nnamdi Azikiwe University, Awka. He specializes in Public Administration.