Charter for Public Service in Africa
Strategies for Implementation in Nigeria

By: Shehu A. MUSA

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I. INTRODUCTION

In the effort to enthrone good governance in both the public and the private sectors, there are many initiatives at regional and global levels. These are fallouts of the continuing convergence and integration of organizations and societies into what we have come to appreciate as the “global village”. In this “village”, principles, rules and guidelines are being established to regulate, streamline and standardize the conduct of persons and organizations.

The Charter for Public service in Africa, adopted by African Ministers at Wiendhoek, Namibia, in 2001 is one such initiative. The Charter is, indeed, a most welcome one for Nigeria and Africa. Nigeria, since the inauguration of Chief Olusegun Obasanjo as President in May 1999, has given much attention to bringing back professionalism and glory to the public service; based on the understanding of its critical importance in the realization of Government’s objectives. Africa is, in the same vein, poised to govern itself better and do things in closer collaboration. Already, there is an African Union and the public services of the various countries need to work on certain acceptable guidelines.

I should confess that prior to my being requested by the Head of the Civil Service of the Federation to reflect on implementation of the Charter while we celebrate the Africa Day of Civil Service and Administration, I had no idea that the Charter existed! Nonetheless, I was pleasantly surprised to discover that its basic thrust and provisions are familiar to my experience.

The rest of the discussion is organized in the following way: Part II provides a brief overview of the Nigerian Civil Service; Part III summaries the basic thrust of the Charter and its main provisions; and Part IV addresses the strategies for implementation in Nigeria. The discussion is concluded in Part V.

II. NIGERIAN CIVIL SERVICE IN PERSPECTIVE

An eminent Nigerian academic Prof. Alex Gboyega had observed that, “At independence in 1960 the Public Service in Nigeria was regarded as one of the most important legacies of some sixty years of British colonial rule. It was believed to have developed on the model of the British Civil Service with its doctrine of anonymity, impartiality and neutrality.

Although many questioned whether in the previous sixty years it had served Nigerians as much and as well as its British model had served Great Britain, there was little doubt that in the post-independent period it had the potential, indeed the duty, to accelerate the development of the country. The reason for optimism in this regard was simple. Under colonial rule, Nigeria was under bureaucratic rule in which expatriate administrators dominated the policy making process and, whether fairly or not, they were regarded as not committed enough to the country, unambitious in regard to the development of social infrastructures and hostile to the political aspirations of Nigerians. By 1960 all this had changed as a result of the rapid Nigerianization of the Public Service in the previous five or six years”.

As Nigeria wends its way towards the present transition to democracy, it confronts daunting challenges, persistent ethnic and religious tensions, growing religious conflict, shallow political institutions, an assertive military, a deeply depressed economy and a cynical and increasingly despairing populace. No problem, however, is more intractable and more threatening to the future of our nascent democracy than political corruption. According to Chinua Achebe, political corruption has grown more “bold and ravenous” with each succeeding regime. It is alleged that although the First Republic fell mostly because of ethnic
and regional conflict, growing public disgust with corruption – and with politicians as a class – also played a role.

I share the view that for 40 years, Nigerian officials of every rank have systematically misappropriated public wealth during the same period, the gulf has widened between an impoverished general populace and the dominant class who constituted the class bound together by a shared taste for extravagant consumption and acquisition financed by access to state power. Indeed, they are best-designated a “political class” because their wealth flows from control over “relations of power, and not production”. Political corruption is driven not only by the ambitions of the higher-ups but also by the aspirations of a much larger number of clients below, who besiege their relations, friends, bosses and ethnic kin for jobs, contracts, licences, favours, money, or other illicit largesse. Nigerians, therefore, expect an effective civil bureaucracy that is respected and trusted by the generality of the people for the transformation of the society.

Unfortunately, the civil service in Nigeria has declined as an effective instrument of governance over the years since the late 1970s. It is said that the most important reason for the decline is the massive purge of the civil servants in 1975-1976, which among other things destroyed the sense of security that the public servants enjoyed. It also eroded their self-confidence and undermined their devotion to duty. As if that was not bad enough, the exercise was repeated during General Buhari’s regime (1983-1984) when about half – a – million public servants were purged as a means of reducing public sector salaries bill. The adoption of structural adjustment under General Babangida (1984-93) similarly entailed cutting jobs to reduce the size of the public service. Consequently, civil bureaucracy ceased to be attractive employment save for the opportunity that it provided for enrichment and empowerment of individuals who managed to make it to the top echelons of the structure. Such negative motivation could not of course be expected to encourage professionalism in the performance of public service.

It appears that the Federal Government, under the leadership of Chief Olusegum Obasanjo, is under no illusion about the urgent need to effect the necessary reforms that will address the problems; especially those connected with the public service, which should provide the machinery for good governance. The government had embarked on measures to reorient senior public servants to new administration’s expectation of them and to seek to reestablish old civil service values of loyalty, integrity, dedication and competence. Organized retreats, seminars and workshops to promote the spirit of teamwork, accountability and transparency have become regular feature for public officers in the past two years. In addition, the President has accomplished the revision of the Public Service Rules to underscore his “concern for discipline and proper conduct and practices by public offices in accordance the provisions of the Rules”. Similarly, the Financial Regulations were also revised “for the restoration of rules and regulations and the need to adhere strictly to them in the conduct of government business particularly in the control and management of public funds and resources of government”. In the preface to the Public Service Rules, the President has said, stated interalia:

The past decade and a half has seen the systematic destruction of public institutions and the promotion of a total disregard for time-tested procedures in the conduct of government business. The need to revise and enforce the rules contained in the Civil Service Rules has never been greater than at the moment, when there is a strong desire in the nation to stamp out the cynical contempt for integrity within the public service, and general laxity in the observance of rules and regulations in official and government acts and replace them with integrity in public life, transparency and accountability in conduct of government business.
These rules apply to all public servants, including the President. The President also authored the preface to the Revised Financial Regulations.

III. OVERVIEW OF THE CHARTER

The Charter has three interrelated purposes:

- Defining the principles and general rules governing African public services with respect to transparency, professionalism and ethical standards;
- Giving concrete expression to the commitment of African States to promote such values in the public service; and
- Serving as a policy framework for the public service administration of all African countries and a source of inspiration for the development, strengthening or updating of national codes of conduct.

These objectives have been painstakingly set out because of the compelling “need to adapt the different services in Africa to the new requirements of public service so as to be able to anticipate or accompany the profound changes the African countries are experiencing…”.

Included in the requirements are the needs to:

- Modernize administrative structures by mastering the new communication technologies;
- Adapt to the increasing globalization of the economy, create an enabling environment for private sector growth, ensure the economic growth and strengthening of basic infrastructure; and
- Promote social development that is predicated on reducing the growing disparities in income and opportunities.

PROVISIONS OF THE CHARTER

The Charter requires the administrations of all African countries that are signatories to it to “respect the fundamental, universal principles of the public service”.

To streamline and standardize public services in Africa, the charter has outlined:

- Fundamental Principles of the Public Service;
- Rules Governing Relations Between the Public Service and the Users;
- Rules governing Relations Between the Public Service and Public Service employees; and
- Code of Conduct of Public Service Employees.

Some of these principles and rules as provided for in the charter are hereunder reviewed:

1. FUNDAMENTAL PRINCIPLES OF THE PUBLIC SERVICE

The charter established four fundamental principles of the public services – in its articles 4, 5, 6 and 7. These are:

Principle of equality of treatment: This requires all public service to recognize the equality of citizens before the law. It also demands that persons in comparable situation vis-à-vis the administration shall be treated equally without any distinction whatsoever. It prohibits any discrimination based on place of origin, race, gender, religion, ethnic group, philosophical or political convictions.
**Principle of legality**: Which stipulates that “public service shall be provided in strict compliance with the law” and that “administrative decisions shall be taken in conformity with existing regulations”.

**Principle of neutrality**: This requires the public service as a whole to remain neutral in respect to the government of the day. It also requires all administrations to respect and treat the principle as fundamental.

**Principle of continuity**: This provides that “public service shall be provided on an ongoing basis and in all its component parts, in accordance with the rules governing its operation”. The charter warns that “failure to comply with the principle of continuity may incur the liability of the administration in respect of any person who might have suffered harm on account of such failure”.

I have reflected on the provisions of these fundamental principles and, at this point would like to remark that their provision in the charter and their implementation will strengthen the professionalism of public services in African countries, and will make the realization of the objectives of the new African Union a bit less difficult.

### 2. RULES GOVERNING RELATIONS BETWEEN THE PUBLIC SERVICE AND USERS

The charter also specified some rules to govern how public services in Africa should relate to users of their services. I will state them, and briefly elaborate on some of them:

**Proximity and accessibility of service**: This implies that public service shall be organized along functional and decentralized lines designed to bring public management closer to the people and provide them with appropriate and accessible basic services. Fortunately, “physical proximity and accessibility can be achieved by the application of appropriate information and communication technologies (E-Government)”.

**Participation, consultation and mediation**

**Quality effectiveness and efficiency**

**Evaluation of service**: Provides that “the evaluation of the effectiveness and productivity of services shall be based on objectives and programmes of activities defined beforehand, accompanied by performance indicators and criteria”. For this purpose, “evaluation mechanisms shall be established in the public service to carry out periodic evaluation of the services offered to the public”. It is also expected that “the results of these evaluations shall be disseminated together with the publication of the annual reports”.

**Transparency and information**: By this rule, “administrative decisions shall always be taken in accordance with transparent, simple and understandable procedures while ensuring accountability”. To facilitate compliance, “all administrative units are required to make available all the necessary information on acts and procedures in their respective domains, as well as the information required to assess their management, with a view to enabling those interested to have full access”.

This rule also makes it mandatory for the administration to inform “the person concerned of any decision taken concerning him/her, indicating the reason for such decision and stating, where necessary, the legal remedies open to him/her should the affected person decide to challenge the decision”.

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For the purpose of effecting these rules, the charter requires the administration “to establish or strengthen reception and information units that will assist users gain access to service and in recording their views, suggestions or complaints”.

**Speed and responsiveness:** This rule requires public services in Africa to “determine and respect deadlines in the delivery of their services”. One pleasant provision of this rule pertains to the need for deadlines to be established by law and regulations and so evidence of unusually long delays may make the administration liable to legal action from any person for long delayed service or abandoned project.

This rule, taken together with the fundamental principles of continuity, has serious implication for public service delivery in Nigeria.

**Reliability and confidentiality of information concerning citizens:**

This is another rule that will radically change the conduct of public service in Nigeria. It requires that “personal information or information that helps to identify, in any manner whatsoever, directly or indirectly, the individual concerned, may not be subject to processing, including computerized processing, in a manner that would violate personal privacy, individual freedom or human rights”. Except for administrative outfits such as “the police and the judiciary, which may be authorized, by law to maintain automated personal data files, no files shall contain information on the private life, views, health of individuals, or any other type of information that may violate the privacy of individuals, without express authorization of the individuals concerned”.

**3. RULES GOVERNING RELATIONS BETWEEN THE PUBLIC SERVICE AND PUBLIC SERVICE EMPLOYEES**

The charter considers the relations between the public service administration and its employees and directs that they “must be based on professional merit and respect for human rights”. The rule makes provisions for the career development prospects of public service employees. It emphasizes the following:

**Recruitment and promotion:** The rule requires that employees “shall be recruited, appointed and promoted on the basis of their competence and professional skills”. The exercise must be conducted “in accordance with transparent and objective procedures that guarantee equal opportunities for all”, (women, disabled and particularly disadvantaged groups).

**Mobility and redeployment of staff:** This rule allows for the consideration of exigencies of service as well as the aspiration of public service employees in the deployment and redeployment of employees in order to secure a satisfactory and rewarding career development.

It seems to me that the charter frowns at arbitrary posting of staff without due regard to their aspirations.

**Staff Training and Development:** The charter considers training and development as entitlements of public service employees and so directs that public service administration shall provide an enabling environment and the necessary resources for enhancing and adopting, on an on-going basis, knowledge and skills of employees.

**Motivation:** The charter also recognizes the need to address the aspirations of public service employees for self-fulfillment and leadership development. It therefore directs that the public service administration “shall foster dialogue between subordinates and management for improving working conditions” and “introducing prospective reforms”.

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Other rules: There are other rules for remuneration, physical safety, working conditions and security of tenure, which I do not intend to review in detail here. I shall however discuss their implications for developing implementation strategies.

CODE OF CONDUCT OF PUBLIC SERVICE EMPLOYEES

Besides the general provisions the charter made for good public governance and administration, namely fundamental principles of the public service, rules to govern relations between the public service and users and rules established for the guidance of employer/employee relations in the public service, the charter has made provision for code of conduct of public service employees which it sets out in two parts.

The first outlines the “fundamental values of the Public service employees”, which the charter stipulates shall be based on public service rooted in professionalism and ethics.

Professionalism, which the charter defines as “how skillful and how well a public service employee performs his/her functions and duties”, is manifested “in the public service employee’s behaviour at work and in his/her constant effort to improve, reinforce and update his/her knowledge and skills”.

Ethics, on the other hand, is defined as “a sound culture based on ethical values and principles”.

The ethical values and principles as enshrined in the charter require the public service employee to ensure compliance with the principles of law and the implementation of judicial decisions. The values also require the public service employee to ensure, at all times, that public property under his/her responsibility, is managed in the most appropriate and efficient manner.

The second part deals with rules of conduct for public service employees. They are to be seen as part on an integrated anti-corruption system.

These include:

Integrity and moral rectitude: The code for integrity and moral rectitude demands that public service employees should “refrain from any activity that is inconsistent with ethics and morality”. Examples of such unwholesome conduct are “misappropriation of public funds, favouritism, nepotism, discrimination, influence peddling or administrative indiscretion”.

The code also bars employees from soliciting, accepting, demanding or receiving, directly or indirectly any payment, gift, or other advantage in kind, in return for performing or refraining from performing their functions or obligations. It is even reprehensible for public service employees to offer gifts or other advantages that might influence, in their favour or in favour of family members and friends, the judgment or decisions of another person.

Other Codes: Other codes that will interest us in the Nigerian Public service are:

- Code for conflict of interest;
- Codes for declaration of assets or illicit enrichment;
- Codes for political neutrality and duty of confidentiality.

These codes are not substantially different from what we have in Nigeria, and are similar to those of many African countries. I do not intend to highlight them further. Nonetheless, I should state that in the past Nigeria did not have a clear anti-corruption system. Occasionally, there were haphazard anti-corruption crusades. It is just now that some system is emerging.

The Anti-corruption Law of the Federal Republic of Nigeria (2000) and the Code of
Conduct for Ministers and Special Advisors of the Federal Government of Nigeria (2001), are evidence of this. However, more vigour is required in making these part of the Nigerian culture (some will say to bring them back into the culture).

**IMPLEMENTATION**

I want to end the review of the charter by observing that provision has been made for its implementation. States are required to “undertake sensitization and training programmes for public service employees in the area of professional ethics and take the appropriate practical steps to inform the public”. Furthermore, member states are required to implement the legislative and regulatory measures necessary for establishing monitoring bodies and modalities, in order to ensure respect for the principles, values and rules enunciated in the document.

**IV. IMPLEMENTATION STRATEGIES**

Nigeria is a leading signatory to the Charter of Public Service for Africa. Therefore, it should implement its provisions. In doing so, it is necessary to provide answers to the following questions:

In what operating environment are we going to implement the provisions of the charter?

Are there opportunities for us to successfully implement the provisions? What obstacles or threats are there?

Do we have necessary capabilities to implement the Charter’s provision? What are our strengths and weaknesses?

What monitoring and evaluation mechanisms can we put in place to ensure proper and effective implementation of important Charter?

Before I proffer strategies for the charter’s implementation, let me briefly describe the basis on which I have constructed the strategies.

**Environment:** The charter seeks to standardize the conduct of public service in Africa. I can see an evolving integration of public services in African Union in line with what obtains in the European Union today. In such a regional public service environment there are tremendous opportunities for career development and larger and wider market for labour in the public service. On the other hand, the challenges are great. They include imperatives of modernizing administrative structures in the country and adapting them to globalization trend in economy, politics and technology. Above all, there is the challenge of integrity of our public service operations.

**Capabilities:** Based on the provisions of the charter and the environment we find ourselves for delivering public service, what are our capabilities? Frankly, I have my doubts about the competitiveness of our present stock of public servants in the Africa-wide public service system.

Based on the operating environment and the capabilities we posses, I suggest as follows:

Initiate and implement exchange programmes for public servants at all levels and sectors and expose public servants to ongoing global initiatives for democracy and good governance.

1. To address weaknesses in capabilities:

Produce first class public servants and undertake intensive and extensive training programmes and engage retired, retiring, but not tired, public servants in interactive informal training of serving officers.
2. To address Professionalism in Public Service delivery:
   Introduce a sustained and compulsory information technology education that accounts in part for career progression.

3. To address shortfalls in transparency and ethical standards:
   Introduce massive anti-corruption education, the knowledge and practice of which forms part of career assessment.

4. To address fundamental principles of the public service institute another review of both Public Service Rules and Financial Regulations, to bring them in line with the requirements of the Charter. In addition, expose public servants to interpretation of laws pertaining to their functions.

5. To provide legal backup for charter provisions:
   Involve the National Assembly in the sensitization and implementation.

6. To address Evaluation of services:
   Establish a service delivery monitoring and evaluation mechanism.

V. CONCLUSION

The Charter of Public Service for Africa is an important document the implementation of which will go a long way in reducing some of Africa’s developmental problems. It emphasizes professionalism and ethics in the conduct of public affairs. Add to this the improvement of genuine entrepreneurship and consistent rise in productivity, the crisis situation under which African countries have lived for several decades will be a thing of the past. Nigeria, as a leading member of the African family, has a duty to give a good example on both counts. It should implement fully the African Charter. It should also work with other countries to see that they do the same.

To increase the chances that such a course as is being suggested takes a firm root, it is important that NGO’s are brought on board in the implementation and monitoring of this charter, particularly in the battle against corruption and for honesty and transparency in public affairs. As far as I know, there are no NGO’s in Nigeria established solely for transplanting and advancing anti-corruption. It is time these are established.

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BIBLIOGRAPHY


