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Effective Administrative Law and Efficient Public Administration in Nigeria

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A B S T R A C T

The study is centered on effective administrative law and efficient public administration in Nigeria. The basic objectives are to evaluate the nexus between effective administrative law and efficiency in public administration, as well as to examine the connection between effective administrative law and efficiency in public administration. The theoretical frameworks used are institutionalism theory and the theory of structuration. While the methodology adopted was the qualitative method, which content analysis was equally used and sources of data was through secondary method of gathering information for a research. Findings show that there has been a gross incompetence in the Nigerian Civil Service that causes a whole lot of mischief in the implementation processes. Also, the major problem is lack of adherence and compliance to the provisions of administrative law in the implementation process and public service delivery, generally. Inferences were drawn and recommendations were made such as; government leading by example and ensuring adherence and compliance to the provisions of administrative law and that of the constitution; government should ensure that adequate punishment is meted on offenders; zero tolerance on corruption, guaranteed welfare of citizens, among others.

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INTRODUCTION

Public Administration is concerned with the management and implementation of public policies and service deliveries. While administrative law is concerned with the law that regulates the mode of executing public policies, functions of governmental agencies, special tribunals, etc., therefore, it is obvious that the linkage between these two variables are very strong because, the effectiveness of administrative law determines the efficiency in public administration in implementing public policies through service delivery. Glaringly, the law controls and regulates conducts, operations, institutions, governmental activities, etc., in like manner, administrative law is meant to control and regulate the .conducts of public administrators and other processes involved in policy implementations and service delivery in any political system operational in a state or country.

In spite of the fact that the divisional pattern in Nigerian public administration is tailored in the British system of civil service, which is cantered on separation of both the individuals and their roles, public administration in Nigeria has been in shambles. Whereas, the essence of administrative law is to guide, regulate and control the operations of public administrators as to ensure smooth running of the system to achieve the dividends of good governance, realizing that public administration is the engine room or hub of any government. To that extent, the objectives of this research is to examine the connection between effective administrative law and efficiency in public administration. Secondly, this paper will evaluate the nexus between effective administrative law and efficiency in public administration in Nigeria. In the end, the way forward will be recommended to improve the service delivery system and implementation of public policy processes in Nigeria.

Conceptual Clarification

Concept of Administrative Law

Administrative law is the law that governs public administrative and its emphasis is on the composition, powers, rights, duties and liabilities of all the numerous machinery and organs of government that comprises both the civil and public servants. The main objectives are to regulate governmental powers against citizens' rights and control administrative performance with the purpose to design rules and regulations that guarantee effectiveness of administration in carrying out its designated functions. It is aimed at fostering opportunities for participation in governance by the interested parties in policy formulation, decision making, coupled with ensuring transparency and accountability on the side of government. It is worthy to know that, administrative law is a branch of public law that is focused to ensure that procedures, rules and other regulations are complied with by all agencies that is concerned with governmental matters, issues and work. However, administrative law cannot achieve all that, unless there is a mechanism put in place to ensure adherence, compliance in other to accomplish welfarism, social security administration and whatever administration that will benefit the people. Literally, administrative law is what controls all the activities of administrative parastatals, agencies, institutions and departments of government (Wikipedia, 2012).

Moreover, administrative law is that legal framework within which public administration is executed through their various service renderings. Administrative law brought public administration under law in their cause of exercising their powers and delivering their services because, administrative law is constitutionally backed in relation to political and juridical matters (Robson, 1960). Quite unlike the income tax law and sales tax law that are contained in the income tax Act and sales tax Act, respectively, administrative law is not contained in any Administrative Law Act, because it is mainly judge-made law and agency-made law. The reason being that, the legislature both in the state and at the federal level are not capable of making laws that will be all encompassing, hence, government agencies

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and any branch of government are authoritatively empowered to make administrative law that will regulate the activities of all machinery of government. Examples of Administrative Agencies are as follows; first - The Environmental Protection Agency (EPA), at the national level make laws or enactments that regulates and control against environmental crimes, while at the state level, the Department of Motor Vehicles, do enact laws in relation to issuing of drivers' license and its suspension. However, these administrative regulations can be tried in the court of law because; they are enforceable in the court, provided they acted within their scope and jurisdiction (Rutz-Burri, 2019).

Furthermore, administrative law is the law that regulates, control and governs the executive in their act of performing their prescribed functions and equally deters them from acting ultra vires or abuse of power on the citizenry. It also covers the process of rule and decision-making, adjudication processes, and the enforcement of some recognized regulatory agenda in accordance with their procedural forms of exercising their powers. Administrative law, more importantly, conforms the executive to rule of law (Thapa, 2020). Administrative law can equally be called regulatory law of public administration, which encompasses procedures, mode of operations by government agencies and their various departments etc. in relation to their various services delivery/ies and other functions such as governing civil and public servants (Kenton, 2020).

Again, administrative law is also known as public law, which has principles to ensure that public officers perform their service rendering lawfully, rationally and in fairness to the people. It goes a long way to deter and ameliorate malfunctioning public administration in their abuse of powers. It forms part of the British common law of England and Wales. Interestingly, administrative law is not bordered about how a decision is reached or passed rather, its concern is majorly on how the processes of reaching the decision was conducted, hence, administrative law is viewed as a procedural law which is subject to judicial review and possible legal remedies that can either be quashed or nullification of decisions reached by public agencies of government through the issuance of orders such as interlocutory injunction or prohibition order, mandatory and declarative orders (Wales, 2016).

In addition, administrative law comprises rules and regulations and administrative decisions made by government agencies or commissions which are authoritatively empowered to make such rules, regulations and administrative decisions by federal legislature. However, the executive arm of government creates administrative law that is usually published as regulations, which is in order words known as executive orders and directives. These laws regulating public administration have its sources from cases or judicial precedent, statutes, secondary sources or distinguished legal submissions from credible legal authorities, etc that guides administrators in their rule making, adjudication and enforcement procedures. In relation to its functions, it covers economic functions, social functions and political functions that have linkages to marketing or businesses, issues such as gender, racial, discrimination and advisory roles to the political heads, respectively (Dugger, 2021).

Lastly, “administrative law is the law that creates the foundation for public administration, ensures that decisions or actions and institutions of government are in accordance with the law and that when they are not, remedies are provided to redress grievance.

It is the law of public administration” (Chinwo, 2017:1). It equally applies some constitutional concepts to guarantee effectiveness and efficiency such as, rule of law, due process, delegation and separation of powers for checks and balances that promotes and increase productivity in government public service rending. It culminates to progressive development as well as adequate provisions of welfare for the people. Administrative law controls public administration and guides as well as regulates its powers, authorities, duties and functions, delegated functions, structures and their responsibilities. According to Malemi, “Administrative law regulates the power and duties, and provides remedies for mal-

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administration and other administrative wrongs" (Malemi, 2012:1). Malemi maintained that "unless the law regulates the functions, and actions of administration, it may be unruly and aggrieved persons may be without remedy. On the other hand, if the law does not recognize the role, functions and powers of administration, the business and objectives of government or of any given unit of people or body would almost be unachievable" (Malemi,2012:1).

In addition, other erudite scholars have conceptualized administrative law in different ways. However, their definitions are tilting to one direction, for instance;For Ivor Jennings - Administrative law is "The law relating to administration. It determines the organization, powers and duties of administrative authorities" (Oyewo&, Ogwezzy,2014:2).Wade & Philips- See administrative law as "a branch of public law which deals with the composition, powers, duties, rights and liabilities of the various organs of government which are engaged in administration" (Oyewo&Ogwezzy, 2014:2).Whereas Schwartz, views administrative law to be "the law applicable to those administrative agencies which possess the powers of delegated legislation"(Oyewo & Ogwezzy, 2014:2). And for Oluyede-Administrative law is "that branch of our law which vest powers in administrative agencies, impose certain requirements on the agencies in the exercise of their powers and provide remedies against unlawful administrative acts" (Oyewo &. Ogwezzy, 2014:3).

THE CONCEPT OF PUBLIC ADMINISTRATION

The concept administration started from time immemorial, as early as in the days of Egyptian Pharaohs, kings and emperors of ancient kingdoms, their trusted workers were involved in the day to day administration of their empires, kingdoms as the case may be. However, starting from the 18th century up to the 19th century down to the contemporaneous era, public administrators have always been influenced with nepotism and prebendal politicking which was tagged "spoils system" (Okafor, 2014).

Moreover, Fredrick Winslow Taylor in his book, "The Principle of Scientific Management" was of the opinion or the view that scientific analysis would help in finding a lasting solution on how to carry out an operational services. He believes that with good objectives and experimental method of classification of problems and needs, in data analysis process, in line with the formulated principles, validity and usefulness will be determined, (Okafor, 2014). Equally, since World War II, there has been a new dimension of public administration which is focused on universality of administration and a lot more emphasis on social and equitable government service delivery, that is much more centered on the needs of the people, focused on democratic citizenship, public policy sufficient to address public interest and adequate services to the citizens, (Okafor, 2014).

Public administration is the process of organizing and managing all the human and material wealth as well as resources in order to achieve the set goals of government in a state continuously. It is a managerial process that covers all the activities going or that goes on in all the branches of government (Avasthi and Maheshwari, 2007).Public administration is concerned with the research and understanding of how a state through its public servants and civil servants organize and manage the roles designated to those concerned, since administrators are responsible for policy implementation as to mostly achieve efficient service delivery since they serve as the machinery and hub of any government established and recognized in a country (Adebayo, 2001).Public administration Is a multidimensional concept that covers verse areas of life when it is viewed as a process, organization, and as politics. Public administration is a process of getting services rendered, executed, effectively and efficiently to the satisfaction of both the government in power and the public receivers in a state.

It is a process because policies are formulated by the political heads, even though advisory roles do come from the administrators, the process continued by these public administrators who are the engine

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room that implement all those formulated policies. Therefore, the will of the state through the machinery of government in different departments, parastatals, ministerial, etc. are being translated into actions that are actionable in the process. While, there is some kind of organizational arrangement meant for efficiency which comprises; division of labour, hierarchy, formal rules, record keeping and professionalization, and all are quite subsumed under bureaucracy and stand as some of the features of bureaucracy. In this regard, public administration is viewed as an organizational setting geared towards achieving the governmental set objectives that will improve the living standards of the citizens and pave way for smooth running of the state. Public administration viewed as politics implies the critical role public administration plays in the governance of the state, bureaucratic means exercising political power in form of decision-making roles that are advisory and their powers to make choices during the implementation stages. This discretionary authority culminates to the politics - administration dichotomy that exist between them. Come to think of it, public administration having the instituted powerful authority to enforce the formulated law, should as well imply that, the bureaucrats being handed over the influential authority to determine the operational extent of the law, in the course of carrying out their job, will amount to a sub-policy formulation (Smith and Licari, 2006).

Public administration is also viewed as an activity, as well as a discipline. The act of enforcing law and order in a state, is the duty and responsibility of public administrator, as part of their function, implying an activity whereas, when it is viewed as a study involved with intellectual research, it becomes a discipline or subject to inquire into and make findings. This, started right from creation and has from time to time being modernized. However, the origin can be traced to ancient human history; although it has been held by some scholars to be traced from 1887 (Fadia and Fadia, 2008).

Public Administration is "the functions of actually administrating the law as declared by the legislature and interpreted by the judicial organ of government (Obikeze and Anthony, 2004:20).

"Public administration is detailed and systematic application of enacted laws; while its application is an act of administration that is being carried out by administrators themselves (Sharma and Sadama, 2006).

Public administration is concerned with the management and implementation of public policy. It is profoundly guided by the legal framework based on the parliamentary enactments, the executive decisions and clear delegated legislations. However, there is no generally agreed form of measuring efficiency, what is sacrosanct remains that, public/administration operates on the provisions of the constitution, statutes, regulations, orders, proclamations, edicts, decrees during the military regime, rules and regulations, court decisions which stand as precedents or case law and lastly, the criticisms of both the public and the legislature (Ola and Tonwe, 2009).

Public administration as an activity started from time immemorial and it was asserted that public administration originated from the ancient nations such as Egypt, China, India and Italy with records of civilizations. Precisely as at 1300BC in Egypt, while in 202 BC in China with evidence of functional planning process, material procurement and employment of staff responsible for supervision and coordinating the management and implementation of governmental policies and programmes. Whereas, between 3 BC and 5 BC, China has bureaucratic evolution comprising individuals with sufficient skills acquired through training to render administrative services to the public from different departments with the requisite authorities (Tonwe, 2008).

On the other hand, public administration as an academic discipline were traced to the administrative thoughts, in line with political thought as were experiences in Great Hindu Epics, together with administrative maxims and teachings of Confucius, found in ancient China and Greek City States in the days of Aristotle's politics. However, Hamilton historically attempted to conceptualize the meaning and

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the scope of public administration within the eighteenth century. Charles Jean Bounin wrote a book in 1812 on public administration which treated some basic principles of public administration as one of newest fields of study in social sciences (Tonwe, 2008). In addition, Gulick and Urwick profoundly set up seven principles of administration which both students and scholars of public administration see as a very simple way of understanding what constitutes the act and management of public administration. In that regard the acronym POSDCORB was formed to illustrate clearly the basic administrative principles, such as;

P = for Planning

O = for Organization

S = for Staffing

D = for Directing

CO = for Coordinating

R = for Reporting

B = for Budgeting

These form the key points with which organization can be properly understood in terms of its mechanisms and operations (Tonwe, 2008).

THEORETICAL MODEL

In this research, to be able to link it properly, the institutionalism theory was be adopted in synergy with institutional approach in doing things concerning governance in any country that wants to develop. However, it was triangulated with the theory of structuration. Institutionalism has been a well-known approach in political science, which help to study the basic arms of government, in which the executive, under which public administrators operate, happens to be one of them. It equally help to understand behaviourism of a particular set of people in their political entity and the numerous roles they do play in their various institutions that effect the service delivery of the state.

Furthermore, this is the more reason why administrative law has to be effectively practiced as to fundamentally adhere to the provisions of the administrative laws that govern public administration as to avert some incursions and interferences from other arms of government trying to influence the service delivery process, which goes a long way to distort and constraint the effectiveness in service delivery of public administrators in the system. Thereby, cause that bottleneck or redtapism known with public administration in Nigeria, particularly. Institutionalism is concerned with realistic forms, rules and regulations as well as the normatic ideal ways of doing things for proper analysis of the basic laws that guides political institutions and their operational processes. Institutionalism deals with the ideological and class features of various political institutions that tend to serve the parochial interest of the elites, mostly in Nigeria. Glaringly, institutionalism has the view that political institutions are there to serve the generality of the people's interest (Igwe, 2002).

In addition, institutional approach tends to explain policy making and the best modalities of carrying it out in terms of implementation of the policies and programmes formulated. The various influences exerted by the other arms of government are what administrative laws are there for or meant to address, as to maintain the ideal form of public administration and its service delivery pattern that is highly developmental. However, the pronounced proponent of this theory and approach is Karl Fredrick (Nte, 2016).Institutionalism is a basic approach to governance and social science particularly, that dwell on institutions ways of operations, that aid in understanding them as an official institutions, that are guided

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by lay down laws and rules of organizational, administration and state governance (Sage Knowledge, 2021).

On the contrary, the theory of structuration triangulatively complemented the institutionalism theory and approach in relation to administrative law and public administration. In the sense that, administrative law defined the structural rules, powers and their functional actions to carry out, to ensure proper service delivery in the public administrative sector, under the executive arm of government. The major proponent of this theory is Anthony Giddens (1977, 1979 & 1984), who has looked into structure and action relationship. In his view, both the structure and the action are intertwined to the extent that none can exist without the other - both complement each other and reinforce each other as well (Haralambos &, Holborn, 2008). In the same ways that structures relate to social actions, reflect how administrative law relates to public administration and that glaringly, public administration cannot flourish well as to bring about effective and efficient service delivery that will launch in development back with rationality, without effective administrative law at work in synergy with the workings of public administrators (Haralambos & Holborn, 2008).

In this regard, the two theories; institutionalism theory and structuration theory are both reasonable and adequate in view of the interplay between effective administrative law and efficient public administration in Nigeria and the very likelihood of such scenario to launch development in all ramifications in Nigeria.

METHODOLOGY

In this research, the qualitative method was adopted. In that regard, content analysis was also used because the research adopted qualitative method of research. Past data was accessed and reviewed, information from some other intellectuals published in their books, from government and administrative database, as well as libraries and online sources, etc. This secondary method was adopted to ameliorate expenses, save time, have easy access to large scope of information gathered by other intellectual scholars and other professionals as well, as to quantify and analyze the meanings and the nexus between the concepts in the research work. Information from these baseline data for the discussion was used, out of which deductions and inferences were made, from which conclusion was drawn and recommendations made as a solution to the problem.

Evolutionary/Historical Trend of Public Administration in Nigeria

The origin of public administration could be traced from two different perspectives, which is specifically identified as an activity or as a field of study. The acts of God marks the beginning of public administration as an activity, while as a field of study, public administration started and came to the lime light through the academic writings of early philosophers such as Aristotle, Machiavelli, Jean Bodin, Hamilton, among others. However, it was made popular by the works of Woodrow Wilson through his work on “The Study of Administration” (Nchuchuwe, 2018).Interestingly, Akpan, (1982) was of the opinion that it is impossible to identify actually when public administration started because, it has not been made clear where and when people started living as a group in a setting such as a community. In the same view, Basu, (2003), opined that public administration started quite early in the history of man, when man was in an arranged setting sharing with one another, though without specifying the exact period with respect to date. Tonwe, (1998) equally is of the same opinion concerning public administration origin with clear specification of time and date of its emergence; leading to the understanding and general belief that, the first human setting and place of aboard was the garden of Eden where Almighty God was the first administrator, hence, the conclusion that public administration started and originated from God, Himself (Nchuchuwe, 2018).

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Furthermore, academically, as a field of study, public administration started from the works of early writers and towards the end of eighteenth century philosophers, as was earlier mentioned in this paper. Though, there was neither distinction nor separation of public administration from other disciplines such as politics, ethnics, history and meta-physics, because they were moudled up together. Notably the study of administration was infused into political science quarterly in the early years of 1887 in the United States of America (USA), which culminated to agreement that public administration started from the USA with respect to the work of Woodrow Wilson, who happens to be one of the Presidents of USA (Nchuchuwe, 2018).

However, Jethro has been proven to be the rightful, historically and evolutionarily known father of administrative and management thought and practice, prior to the postulations of different philosophers and theorists, such as Robert Owen who was recognized as the father of modern personnel management; Frederick Taylor who was also recognized as the father of scientific management; Henri Fayol, who was equally recognized as the father of modern management, then Max Weber who was recognized as the father of bureaucracy. This admonitions of Jethro to Moses-his son-in-law was captured by the literature of Judeo -Christian theology; his concern about Moses being the only one adjudicating over the Jews, his advisory role for Moses to inculcate, the statutes and the laws to some delegates for assistance as to ease up the judgment processes.

In this regard, Jethro was highly concerned about the effectiveness of the process, division of labour for healthy process as well as responsibilities to be managed by those Moses will delegate functions to; all these are administrative and management functions and services to the Jewish public, which to a very large extent qualifies Jethro as the founding father of public administration and management with effectiveness and efficiency as a watchword (Osai, Eleanya, Orukwowu, and Okene, 2009).

Notably, Jethro's role covered recruitment, training, delegation of authority, supervision, motivation, staff welfare, among others in Jethro's all-embracing treatise on public administration and management (Osai, Eleanya, Orukwowu and Okene, 2009).

From British colonial period to the time of independence in 1960, Nigeria has passed through different stages in public administration which had always been determined by the nuance governmental stages as British government deems fit. While from 1960- 1966 marked the short lived democratic civil administration which was brought to an abrupt end by the military incursion. There was a military rule that lasted up till 1979, though intermittently, was truncated by a new breed of other military junters. However, from 1979 to 1983 also marked another brief democratic governance before the military again took over back on the last day of the month in 1983. These series of military rule lasted up until 1998, though there was an interim national government that rule for just few months and was later over throwned by another military set of rulers without proper legitimization by the people as it has always been in a democratic governance. Most importantly, there has always been a guidance of administrative governance during any democratic dispensation which is the extracts of the constitution of the Federal Republic of Nigeria (1960, 1979, 1989, 1995 and the latest which is the 1999 (as amended), but such has not been observed during the military because the military in their coercive nature of power acquisition first and foremost, do suspend the (FRN) constitution and rule in accordance with their series of decrees which hampers the effectiveness and efficiency of public administration in Nigeria (Adamolekun,2005).

Public administration being the major hub of the machinery of government, comprises structures that defines the three tiers of government and there exist a political system tagged the federal system of government which originally started during the terminal period of the colonial era, precisely in 1954. These structures culminated to regional structures from three to four regional structures in 1963.

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Subsequently, evolved to twelve states during the Nigerian - Biafran Civil War. Later got to nineteen states in 1976, then increased to twenty-one in 1987, later thirty in 1991 and finally thirty-six in 1996. Moreover, there are up to 776 local government areas in Nigeria where you can find another good number of public administrators carrying out their various administrative functions as well as quasi-delegated legislative, as well as quasi-judicial functions. Interestingly, those organizational structures exist in all the tiers of government with minor changes based on the constitutional law and the administrative law provisions (Adamolekun, 2005).

Furthermore, the basic strengths and main areas that determine the successfulness of public administration are, the functions of civil service in making sure that there is the continuity of the country called Nigeria, rural political governance and the retained proficiency as well as expertise of the indigenous public sector for intense stability. While there is also three major weaknesses that constraint public administration, which are as thus; feeble, poor and ineffective service delivery, poor accountability and weak as well as poor interactions, interrelationships and intergovernmental relations, alongside with ineffective institutions that are well designed, but filled with corrupt officials that outnumber the ideal ones in the public service delivery sector, that hinders adequate implementations that can deliver the potency of the numerous policies enacted by federal, state and local governments as to move Nigeria to becoming a developed country (Adamolekun, 2005).

Tradition and Trends in Nigerian Public Administration

In Nigeria, Ethno-political groups of ethno-social groups such as Hausa, Fulani, Yoruba, Igbo, Ibibio, Urobo, Nupe, Kalabari, among others, did have their various independent socio-political set ups, though with some nuances in both organizational setting and operational processes.

1. Yoruba - traditional socio-political administration centered around the town (ilu) with the Oba (king) superintending all other administrative heads, who are the council of chiefs and other lesser chiefs. Bashorun - traditional prime minister - heading the council of chiefs. Are-ona-kakaufo- head of the local army, judicial system-from head of family to the Oba.

2. Hausa -Fulani and others have their own administrative and judicial systems (Balogun, 1985). Colonial contact and indirect rule; 14th century contact of European with pre-colonial Nigerians, marked the beginning of the administration of Nigeria; down to 1884/85 Berlin Conference allocation of Nigeria to Britain.

- Discard of Traditional Administrative system and introduction o indirect rule comprising few British administrators and the council of chiefs as rudimentary local administration, were instituted by British.
- 1950s marked the emergence of modern local government administrative system. And this was after Richards Constitution of 1946 that introduced civil service and foot commission service providers or delivers in 1948 at both the central government quarters and regional government quarters, in a bit to enhance the Nigerianization processes of civil service.
- While 1960 - independence, marking another dimension of the colonial created civil service (Olu - Adeyemi, 2018).

However, in Nigeria then, there were major characteristics, in other words, major features of Nigeria's public administration, from colonial to current recruitment and services inclined, were as follows;

1) Colonial creation marking foreign origination.
2) Centered on maintenance of law, order and service delivery.

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3) Exploration, exploitation and appropriation of resources and revenues. (4)
4) Increase recruitment due to decolonization.
5) Inheritance of British style of administration; and means of public service in line with principles of hierarchy, permanency, impartiality, anonymity and political neutrality principles (Olu-Adeyemi, 2018).

Moreover, there is a divisional pattern in Nigerian public administration which is tailored in the British system style of civil service; it is centered on separation of both individuals and their roles to stand as generalists and specialists respectively. This implies a distinction between the administrators and the advisers which reflects administrative functions meant for the generalist, whiles the specialist as expertise, is meant to carry out the advisory role. Their different roles also determine their remuneration as well as categories of personnel to employ into the civil service job.

However, the intellectuals from Oxbridge Institutions back then were expected to improve the intellectual skills of decision making and solutions to problems handled by both departmental and the political administration branches to suit the philosophy of those administering and the other advising, in other words, employment were based on technical and professional expertise. And strictly, this formed the notable functional dichotomy that existed between the two class and outstanding characteristics of Nigerian publi administration in terms of its structure (Ola and Tonwe, 2009).

The Nigerian Civil Service structure was patterned based on the colonial model of classification of public administration into senior service and junior service which was reflecting racial differential in sources of employment during the British colonial era of administration which were extractions from Gorsuch Report of 1954 and that of Harragin Report of 1945. In that regard, Nigerian public administration presently has four distinctive categories of civil servants, based on Gorsuch recommendations as follows;

- "The sub-clerical and manipulative class
- Clerical and technical class
- Executive and higher technical class
- Administrative and professional class" (Ola and Tonwe, 2009:20).

Factors That Gave Rise to the Study of Public Administration

Right from the existence of complex societies in the world, there has been the problem of administration and management of any particular society. Even at that, some societies have been found successful over the years, therefore, there have also been this quest to find out reasons behind their success, which gave rise to the study of public administration of various societies, as to detect the factors responsible for their failure as well as emulate the pattern adopted by those that are successful.

However, among the factors that gave rise to the study of public administration are as follows:

- The factors of human life and their behaviours in relation with their surrounding environment.
- The ecological factors that ranges from the people, place, physical technology, social technology, wishes and numerous ideas, catastrophic and individual personality.
- Public administration as an institution and its environment in which it operates and develop in relation to political governance.

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- The interaction that exist between administrative sub-system and the political, social, cultural and economic sub-system of the society.
- The cross - cultural studies with emphasis on the same environmental effects on administrative structure and behavioural patterns.
- The national psychology in which it functions.

Also, there are basic reasons why the study of public administration becomes very necessary, such reasons are as thus;

- To avoid administrative generalizations, based on what has been happening in another state to be likely the same. It cannot be globally applied to other countries in the world.
- To ascertain the validity of administrative theories prior to formulating it as a working theory of public administration.
- For relevancy of the concept and ensuring the scientific approach to the study and patterns of operation for the good of all societies, if it is possible.
- In order to glaringly understand bureaucratic structures and their numerous functions, based on the interactive relationship that exist between them.
- Moreover, having in mind notably that less economic advancement, wholesomely, causes the decline of administrative capabilities and for it to achieve the development of the state as its essence, there is need to subscribe to a better set of values; improve on dysfunctional structure as to improve or increase economic productivity; because development administration is economy focused (Fadia & Fadia, 2008).

Experience and Challenge of Public Administration in Nigeria

Public administrators are responsible for implementation of all government formulated policies and programmes, as civil servants often perform the function of formulation of policies and programmes through their advisory role, most times. Moreover, public administrators, under civil service capacity, have such attributes like permanence of secured job, being politically neutral, loyalty or impartiality to any government in authority, as well as anonymity or press shyness, with recruitment on the basis of meritocracy, expertise and efficiency in service delivery (Malemi, 2012).

Civil servants as public administrators endulge equally in advising and standing as a middle man between government and the people, involve in delegated legislation, assisting in governmental budget preparation, educating and enlightening the people, keeping government records & documents and enforcement of rules that control numerous sectors of life existence. In addition, public administrators are been faced with the challenge of political instability, political interference, constant changes of administrative heads, poor remuneration and in conducive atmosphere of service, as well as unqualified staff, in conjunction with improper or inadequate training, laxity, nepotism, tribalism, ethnicity, fraud and embezzlement of revenue funds, bribery and corruption, as well as over blooted staff and waste of resources, coupled with unfriendly attitudes of staff based on the way government neglects the input of public administrators (Malemi, 2012).

Effective Administrative Law Remedies in Nigeria

Administrative law is part of constitutional law, though constitutional law is broader in scope because, it covers numerous issues and matters ranging from citizenship, judiciary and legislature which are major concerns of administrative law. Again, constitutional law specifies the structure and powers of

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government, whereas administrative law is basically concerned with the control and functions of government public authorities. In addition, the constitution and judicial decisions are from the basic sources of constitutional law while, delegated legislation, letters of instruction, memoranda, treasury circulars and series of administrative bodies decisions, are from the sources of administrative law. Finally administrative law is defined by, how administrative bodies are confine, to their adherence to their legal role and boundary in the process of ameliorating the contradictions and rifts between the administrative agencies of the state government and the citizens, as well as among the state agencies themselves (Emiola, 2011).

However, administrative law, according to Lord Halsbury is "the law relating to the discharge of functions of a public nature in government and administration. It includes functions of public authorities and officers and of special tribunals, judicial review of the exercise of those functions, the civil liability and legal protection of those purporting to exercise them, and aspects of the means whereby extra-judicial redress may be obtainable at the instance of persons aggrieved" (Emiola, 2011:20).

Note: The essence of judicial review, is for judicial scrutiny of questions of ultra vires and jurisdiction of law and fact, as well as scope of the obligation to act based on fairness and observance of the rules of natural justice in executing statutory discretions.

Remarkably, there are basic three categories of ultra vires, which are enlisted below;

1) Doctrine of ultra vires in a derivative of latin words.
2) Ultra vires not same as illegality and an act can be legally ok, yet ultra vires.
3) Hence, there is substantive and procedural ultra vires (Emiola, 2011).

Furthermore, in administrative law there are available Remedies: Equitable remedy is basically ideal remedy in so many issues, matters and cases; because common law does not consider anything, contrary to what the law says, while, equity cannotes fairness. To that extent, equity is conceptualized as justice carried out in a fair manner with consideration to certain circumstances and conditions contrary to the strict rules of common law as it is stated (Emiola, 2011).

Moreover, a prerogative order stand to represent the four basic judicial remedies - prohibition, certiorari, mandamus and habeas corpus, by which public authorities and state government are compelled to perform their duty as prescribed by law and refrain from indulging in the unlawful, by an order of the court (Emiola, 2011).

Administrative Remedy is a non-judicial system of rectifying a wrong done to an aggrieved person, by maintaining status quo ante or making a reparation for the injury or loss already suffered as a result of that act or omission by administrative authority on is own without resorting to court, unless there is an issue arising in the process of such resolution. On the contrary, administrative authority may decide to involve the court, based on the matter in controversy. While, in some cases, the parties involved may decide to leave it to God or seek for equitable remedy. Whereas, remedies under prerogative relief, court issues order, compelling the state or the public authority to perform their duty in accordance to the provisions of the law(Emiola,2011).

Note: Wade noted, France Ombudsman instituted with broad powers, in their law 73-6 of January 1973, called Mediateur. While, Justice Ombudsman (Ombudsman for Justice) (1809) was in Sweden. Whereas, in 1974 in paragraph 181 - 187 of the report, marked the establishment of Ombudsman in Nigeria. Also, in 1810 Baron L.A. Mannerheim was elected Swedist Ombudsman, which was the first appointment by King Charles XII of Sweden (1682 - 1718), called chancellor of Justice to supervise

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government officials.

In addition, basically there are four fundamental categories of remedies, they are as thus;

1) Remedies through OMBUDSMAN - An elected ombudsman supervises, investigate and report to legislature on compliance of citizens against the officers of the state.
2) COMMON LAW REMEDIES: Damages, and Petitions of Right Remedy in line with English Common Law,"The invocation of the English Petitions of Right Act 1860 and its Nigeria adaptation of 1915" (Emiola, 2011:177). While damages, stands for "A pecuniary compensation or indemnity which may be recovered in the court by any person, property, or rights, through the unlawful act or omission or negligence of another" (Emiola, 2011; 177). However, damages in administrative law appear to be difficult.\
3) EQUITABLE REMEDIES: Represents declaratory judgment and injunction. Injunction: Is "An order of the court which restrains a person from pursuing a specific course of action or compels such a person to do an act which he would not otherwise have done voluntarily "Babatunde Adenuga & Ors. V. Odeuneru & Ors (Emiola, 2011:264).
4) Prerogative Remedies: Represents the emergence of the writs, writ of habeas corpus, prohibition, certiorari, the writ of mandamus (Emiola, 2011.

Effective Administrative Law and Efficient Public Administration in Nigeria

Administrative law makes it possible for public administrators to delegate functions to subordinates for effective and efficient strives and sporadic improvement in service delivery. It equally creates avenue for fair hearing as well as fair transactions between government officials and the general masses and also made provision for reviews to avert public administrators from acting beyond their powers - ultra vires. However, the political and constitutional practices in different traditional settings determine the characteristics of their administrative law. This is so because, the customary way of each community's way of doing things in the African traditional methods defines the procedures in accordance to their laws that regulates their conducts in all spheres of their life. Though all these African traditional administrative law fisled away as soon as modern administrative law surfaced with the advent of colonialism (Chinwo, 2017).

Furthermore, currently, Nigeria is faced with modern constitution that stand as part of the source of administrative law and being guided by the principles of separation of powers and other constitutional concepts, as well as respect for fundamental concepts, and respect for fundamental human rights. The constitution of the Federal Republic of Nigeria defines the duties, powers, authorities and functions of the various arms and tiers of government as well as the regulative law that guides the performance of public administration in the entire federation. The extent of the various powers are spelt out accordingly and respectively to avoid interferences from the tiers and the arms of government as well as the limitations of public administrators in the cause of delivering their duties and functions. However, there are some level of control from the three arms of government over the public administrators with consideration to the nuances and challenges of the type of political system operating. These control on public administrators ranges from federal, state and local government areas. However, the constitution guarantees local government functions exceeding what is provided in the fourth schedule, meaning that L.G.s are entitled to exceed, not limited to the provisions at the fourth schedule of the 1999 Constitution of the Federal Republic of Nigeria (as amended)with reference to Section 7(5) of the Constitution (Chinwo,2017).

Moreover, there are a whole lot of benefits derivable from the study of administrative law, some of the

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merits or benefits are as follows; it defines crucial aspects of public institutions in the area of establishment, appointment or recruitment, duties and responsibilities, duration in the official position or posting, as well as its operational patterns, clear definition of the procedural processes that will not infringe on anybody's fundamental rights as a citizen and security of the state, defines the limitations of all agencies, and modalities to adopt in carrying out legal processes to avert abuses, demonstration of the very legal ways of applying the instruments and state apparatus, its agencies and its powers as well, in justifying the interactions and relationships of the government and the people been governed, creation of machineries and legal processes to seek redress when the people are aggrieved by the officials actions, to aid the achievement of good governance through effective, efficient, responsible and accountable character of the state actors in their service delivery and execution of their functional duties, to encourage delegative responsibility from the head to the subordinates, to inculcate in students the rightful ways of using the law to protect and project the citizens' rights against infringement, invasion and abuses, and lastly, to equip the students on the law and to adhere to its provisions with respect to its guide on legal or lawful control of the internal structures, mechanisms and operations of the numerous ministries, departments and agencies of government (Chinwo, 2017). Therefore, when public administration is guided by the administrative law, without any doubt, there will be proper administrative leadership, which will culminate to advancement in all areas of life endeavour. Obviously, it is the public administrators who are the engine room of government and to a large extent sustains government or ruins government, because without good public administrators, the government will fail.

So law-precisely - administrative law synergies with public administration, there and then, all the challenges of public administration in Nigeria will fisle away, especially, corruption, nepotism, unmerited appointment, recruitment and employment, among others. The resultant effect of such will be nothing less than good governance with sufficient, if not adequate, welfare of the citizens of Ni4geria. The bureaucrats or public administrators are the determinant of a states performance in governance, wherever the law is effective, things go well and the people adhere, obey and appreciate the law and the standard. Man makes law, for man to obey and be rational, discipline for man's well-being and his environment. For instance, in the case of G. Alapiki V. The Governor of Rivers State & Rivers State Civil Service Commission, Gaga Alapiki, was employed in the Rivers State Civil Service in 1949 and his appointment was terminated by the defendant with effect from 29th September, 1981 through a letter written on the 10th of November, 1981. However, he brought a suit against the defendant which commenced on the 19th of February, 1983,roughly fifteen months after the cause of action, contending that the Governor of Rivers State has no powers to terminate his appointment without being interrogated by any authority and therefore, should be reinstated. The court held that the case would have been in his favour, but because it was statute - barred. The reason being that in the realm of administrative law, one of the fundamental principle is that no one shall be condemned unheard in the concept of fair hearing (Law Nigeria, 2018).

Functions of Administrative Law

(1) To control the relation between the organized powers and the common man.

(2) To study the recognized formal bodies which translates the public policy of the government.

(3) To determine the working relationship between administrative (4) agencies for instance, that between ministers and local authorities.

(4) To control and regulated ministry to discretion.

(5) To ensure transparency and openness in the administration for accountability sake.

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(6) To provide a working, efficient redressal system for citizens grievance (SRD,2021).

Role of Administrative Law in a Democratic State

(1) Administrative law regulates and controls the public administrators in their service delivery as to be effective, efficient and based on due process which guarantees fairness.

(2) Another fundamental role of administrative law is that, it ensures accountability in the public services of government administrative agencies. This paves way for further judicial review of the activities and decisions of these administrative government agency/ies. This equally helps to curb the actionable powers of public administrators.

(3) Administrative law defines the legal implications of public administrators actions and as such provide the legal basis that determine their procedures and their method of operations in settling the very few minor and multiple discrepancies that arise in the course of their service delivery with little procedural protocol.

(4) Administrative law regulates the legal relationships that exist between public administrators and other private or organizational bodies concerning services to humanity and governance generally (www.wiego.org).

Scope of Administrative Law

According to Friedman scope of Administrative Law:-

(1) Administrative law deals with the law-making powers of administrative authorities under common law and various statutes, made in any particular country.

(2) Judicial and quasi-judicial powers of Administrative Authorities, for instance - court and tribunals, which are to deal with the problems (3) and remedies concerning the involved parties.

(3) Executive powers of administration, for instance concentration of (4) power on the executive.

(4) Powers of the court to supervise the administrative authorities (5) involved in service deliveries.

(5) Legal liability of public servants that guides their operations (SRD, 2021).

Utility of Administrative Law in Nigeria

Administrative law is very crucial in the smooth running of public administration by various governmental agencies. It is a very useful tool used in ensuring adherence to the provisions of the constitutional functions of those agencies in line with their designated powers to guarantee due process, accountability and good governance, because public administration is the engine room of the governing process in any government globally.

Moreover, the utility of administrative law in Nigeria cannot be overemphasized because it is profitable or beneficial to Nigerians by its ways of ameliorating corrupt administrative, practices, if really observed and adhered to in the process of public service deliveries in government administrative agencies.

Furthermore, administrative laws efficacies on economic utility in terms of form, time, place and possession experienced by numerous service providers and their recipients are meritorious and ensure the maintenance of a rational society (Investopedia.com).

Worthy of note is that, the demarcative line between administrative law and constitutional law is very thin, hence, little or no case is classified under the administrative law category, it is usually classified

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under constitutional law because, those cases are relatively administrative related cases. To that extent admin law cases or matters are seen as branch of constitutional law for the fact that it flows from constitutional principles. Dicey's relegation and denial of administrative law contributed to this scenario which started since the colonial period, to that extent, British colonialism has a lot to do in undermining administrative laws in Nigeria. Recognizing that English legal system has so much influence on the established Nigerian legal system; it was in that regard, that the supreme court ordinance of 1914 through which English common law was introduced into Nigeria, in conjunction with the doctrine of equity, and the statutes of general application that was established in England from 1st January, 1900 (Oluyede,2007).

The legislature, the executive, the judiciary and the police are groups or bodies that are furnished with administrative powers in a state. Most of these bodies emanate from source through the historical evolution, while some are established by statutes under a particular political system -ranging from federal, state, and local governments, as well as the cabinets (Oluyede, 2007).

Moreover, there is no water light separation of powers operational in a political system, because there are judicial functions of the legislature given the fact that there is no rigid separation of powers in governance; because the legislature performs quasi-judicial functions to bring about effectiveness in the system. The legislature through the process of impeachment performs quasi-judicial function when they remove presidents, governors, etc. through the process, while also they serve as an appeal court through their public petition committee when the citizens resort to after the judicial efforts to remedies or resolve matters were found unsatisfactory to the aggrieved citizen (Oluyede, 2007).

Furthermore, the judiciary through the judges are meant to interpret the law and in that process, they equally make laws, case law, judicial precedents, etc. which the act of making law is the constitutional function of the legislature. However, the judiciary is meant to watch over the legislature and the executive to ensure that they do adhere strictly to the procedures laid down for them in carrying out their functions or duties, as well as ensuring that they do not act ultra vires against the constitutional provisions as in the case of Attorney-General of Bendel State V. Attorney-General of the Federations and others (Oluyede, 2007).

Recognizing that the rule of law means, doing things in accordance with the law, governance conducted in line with the framework that recognizes the ideal principles that restrict discretionary power equality of all citizens without exception before the constituted authorized law of the state without any specialty both in court and otherwise, with all the principles in line with section 6(6) (b) of the ground norm (Oluyede, 2007).

General Control of Administration

Political Control - to avert unfettered influence and application of power in the cause of exercising admin functions; public opinion, the news media-press - and both national and state assemblies.

Judicial control - based on the doctrine of jurisdiction, - legality of powers of the courts, to decide on cases, manner of performance faults detected by the judiciary on the executives, and duty to act with care, improper motive of performing the wrong act - as in chief commission, Eastern Province V. Onoye and others.

- Duty to observe proper procedure-in terms of arrest and detention conforming to the provision of Decree No. 2, 1984.
- Abuse or abdication of discretion - discharged honestly and in the spirit of the statute.

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- Opportunity to be heard - accused must be given notice to defend himself in line with the principle of National justice.
- The rule against bias - in line with "nemo judex in causa sua" (Oluyede, 2007:386). Implying no person should be a judge in his own case-case "Alakija V. Medical Disciplinary Committee; which was disciplinary action taken by the administration against the plaintiff under section 26(i) of the medical practioners and Dentists Ordinance (Cap 116) laws of the federation of Nigeria" (Oluyede, 2007:386).

Politics and Administrative Dichotomy

It's a theory concerned with the boundaries of public administration and the interconnected, interdependent as well as the interrelated nexus between political office holders who serve as public officers and the bureaucratic administrators in a rational state. It was Woodrow Wilson who propounded the necessities and the need to separate the field of politics and public administration. This line of thought started in the late 1800s and between 1950s to 1970s, public administration remained a subfield of political science. However, public administration has currently become a recognized discipline known as administrative science and becomes a separate field of study.

Interestingly, politics is concerned with law making and policy formulations while, public administration is squarely concerned with the implementation and the execution of those politically formulated policies and laws to a reasonable extent.

However, modern public administration does carry out quasi-functions that made it impossible for them to be extricated in political activities. To that extent, public administration is no longer restricted to only execution and implementation of laws and formulated political policies rather, they are also equally involved in the formulation of necessary laws and efficient public service delivery, to strengthen its organization and the paths of government (Jison, 2014).

Distinction between Public of Private Administration Public

- Efficiency is measured by political and social set objectives.
- Government institutions are usually bigger in scope, size and diversity.
- They are prone to public accountability and property.
- Public administration functions and operates on device intuition.

Private

- Efficiency is based mainly on profit consideration/ maximization.
- The organizations are more united than public organizations in terms of size, scope and diversity of activities.
- They are concerned more with consumerism and profits.
- Private administration follows the business, commercial and intuition. Source: Okafor, (2014).

Similarities

- Cooperation is common for both of the administration (public and private).
- Both aim at organizational set of objectives/goals.
- Human and technical skills are involved, to enable both achieve their intended objectives.

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- Both struggle for influential power and increase capitalization.
- Both have similar challenges bordering on what to do, motivational inducement, loyalty, consistent reward and increased productivity. Source: Okafor, (2014).

Conclusion

There is a synergy between the administrative law and public administration to bring about good and qualitative service delivery that aid the dispensation of good governance in any country. This appears to be the major crux of Nigerian government and their public administrators that is resulting to the slouch pace of development in so many spheres in Nigeria.

However, considering that the divisional pattern in Nigerian public administration, which is tailored in the British system style of civil service, the British system style of civil service, is centered on separation of both individuals and their roles to stand as generalists and specialists respectively. Implying that administrative functions and expertise advisory role having a distinct role that determine their remuneration and categories of personnel to be employed into the civil service job; ought to have been an advantage for the smooth running of services and the delivery process in Nigeria as it has been in Britain.

Again, public administration being concerned with the management and implementation of public policy, whereas administrative law is concerned with the law relating to the mode of carrying out those public policies and functions by governmental agencies, special tribunals, judicial review of the pattern used in carrying out those functions as well as their legal implications, which aid the provision of administrative remedies; Nigeria's public administration supposed to be one of the very best, if there is effective administrative law adherence and compliance.

Also, administrative law guides the modes of delegation in public administration as to guarantee sporadic improvement in service delivery to the general public by government officials, which by every implication, ought to have instituted due process for balancing of administrative process progressively. And for perfect functioning, administrative law in conjunction with the constitutional provisions defines the structures, functions, powers, as well as the limitations of public administrators in government civil services.

Finally, findings have shown that, there is gross incompetence in the Nigerian Civil Service, causing a whole lot of mischief in the implementation processes. There is constitutional provisions that are relatively sufficient but, not adequately applied in the public administration job. The major problem is lack of adherence to and compliance to the provisions of administrative law, more especially, in the implementation process and public service delivery, generally.

Recommendations

At this juncture, it is worthwhile to succinctly recommend the way forward, as to ensure smooth and accelerated public service delivery system operational within the Nigerian public administration through the various governmental agencies etc.

In that regard, it is worthy to recommend as follows:

- Government should lead by example by ensuring that the constitutional provisions are adhered to completely, as well as putting stringent measures to guarantee compliance by public administrators/civil servants to the provisions of administrative law in service delivery.
- Government should ensure that there is adequate punishment, commensurate to the offence committed by any government staff, irrespective of who is involved - NO sacred cow of any sort.

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- Government must ensure that the welfare of the workers, as well as the generality of the people is maintained and sustained for absolute commitment of the people and their dedication to their duties with joy.
- Public civil servants should be adequately remunerated, as to bring in or put in their very best in the course of implementing public policies and general service deliveries.
- Government should promote motivational rewards and awards to spur workers to put in their best, as to be recognized for dignity of labour in Nigeria's public administration.
- Government should have zero tolerance to corrupt practices in Nigeria, across all the spheres of human endeavour among Nigerians and beyond.
- Government institutions should be strengthened to effectively carry out their various duties as to achieve dividends of good governance.

References

1. Adamolekun, L. (2005). Public Administration in Africa. Main Issues and Selected Country Studies. Ibadan: Spectrum Books.
2. Adebayo, A. (2001). Principles and Practice of Public Administration in Nigeria. Benin City: Spectrum Books Limited.
3. Ashley Dugger (2021). Administrative/Regulatory Law: Definition &, Example Cases Houston.
4. Avasthi, A. & Maheshwari, S. (2007). Public Administration. Agra: Lakshwri Narain Agarwal.
5. Balogun, M.J. (1985). Public Administration in Nigeria: A Developmental Approach. The Journal of Modern African Studies. Volume 23. London: Cambridge University Press. Available online. Retrieved from www.jstor.org 20th July,2021.
6. Chinwo, C.A.J. (2017). Current Principles and Practice of Administrative Law in Nigeria, 2nd Edition. Port Harcourt: Life, Law and Grace Book House.
7. Emiola, A. (2011). Remedies in Administrative Law. Second Edition Ogbomoso: Emiola Publishers.
8. Fadia, B. L. & Fadia, K. (2008). Public administration. AGRA: Sahitya Bhawan Publications.
9. Haralambos, M. & Holborn, M. (2008). Sociology: Themes and Perspectives. Seventh Edition. London: Harper Collins Publishers.
10. Igwe, O. (2002). Politics and Globe Dictionary. Enugu: Jamoe Enterprises (Nigeria).
11. Investopedia, (2021). Types of Economic Utility. Available online. ww.investopedia.com>answers. Retrieved on 06/12/2021.
12. Jison, J.R. (2014). The dichotomy of politics and public administration: lessons from the perennial debate. Available online. Retrieved from www.iapss.org.on 20th July,2021.
13. Law Nigeria, (2018). Policy, practice and publishing. 3 PLR Law Reports. Alapiki V. The Governor of Rivers State. Court of Appeal (Port Harcourt Division). Friday, 26th April, 1991.3PLR/1991/39(CA).8 NWLR(PT.211) 575. Port Harcourt: Law Nigeria Admin. 2018. Available online.Judgments.Lawnigeria.com Retrieved 10/12/2021.
14. Law Wales, (2016). Law.gov.wales/Introduction to Administrative Law. Law.hotstra.edu>pdf>library/Administrative Law Resources-Hotstra Law.
15. Malemi, E. (2012). Administrative Law. 4th Edition. Ikeja: Princeton Publishing Co.

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16. Nchuchuwe Francis (2018). Historical Development of Public Administration. Essentials of Public Administration. Lagos. Available online. Retrieved from www.researchgate.net on 21st July, 2021.
17. Nte, T.U. (2016). Diplomacy and foreign policy. The wheels of international relations. Port Harcourt: Shapea Publishers.
18. Obikeze, O.S. and Anthony, O.E. (2004). Public Administration in Nigeria. A Developmental Approach. Onitsha: Bookpoint.
19. Okafor, C.A. (2014). The Substance of Public Administration in Nigeria. Management Theory and Practice. Nnamdi Azikiwe University – Business School. Available online. Retrieved from www.academia.edu. 20th July,2021.
20. Ola, R.F. & Tonwe, D.A. (2009). Nigerian Public Administration. Ibadan: Amfitop Books.
21. Olu-Adeyemi, O. (2018). Public Administration in Nigeria. Nigeria - Evolution, Philosophy and Ethics of Public Administration, the Civil Service and Reforms Available Online. Retrieved from lanreoluadeyemi.blogspot.com on 20th July, 2021.
22. Oluyede, P.A. (2007). Nigerian Administrative Law. Ibadan: University Press.
23. Osai, O.J., Eleanya, L.U.M., Orukwowu, J.M. & Okene, N.V.C. (2009). Jethro as the Patriarch of Administration and Management: An Analysis of His Works. Kamla-Raj. J. Soc. Sci. 18(3): 157 - 162.
24. Oyewo, A.T. & Ogwezzy, M.C. (2014). Principles of Administrative Law in Nigeria. Ibadan: Jator Publishing Company.
25. Rutz-Burn, L. (2019). Sou-CCJ230. Introduction to the American Criminal Justice System. New York: Press Books. Available [Online]. Enoregon. Press Books. Pub. Retrieved on 18th June, 2021.
26. Sage Knowledge, (2021). Key Concepts in Governance. Available online at ww.sk.sagepub.com>books. Retrieved on 21st November, 2021.
27. Sharma, M.P. & Sadana, B.L. (2006). Public Administration in Theory and Practice. New Delhi: Kitab Mahal Agencies.
28. Smith, K.B. and Licari, M.J. (2006). Public Administration, Power and Politics in the Fourth Branch of Government. Los Angeles: Roxbury Publishing Company.
29. SRD, (2021). Law Notes for Law Students. Meaning, Definition and Main Functions of Administrative Law. Available online. Retrieved from www.srdlawnotes.com on 20th July, 2021.
30. Tonwe, D.A. (2008). Public Administration. An Introduction. Ibadan: Amfitop Books.
31. Wiego, (2021). South Africa's Administrative Law. Available online. www.wiego.org>files>files.Retrieved 05/12/2021.
32. Wikipedia(2012).www.nou.edu.ng-Public Administrative Law.
33. Will Kenton -(2020). Administrative Law.www.investopedia.com California: Dotdash Publishers.
34. William Alexander Robson, (1960). www.britonica.com Administrative Law. London: University of London Press. [Online]. Available at www.britonica.com. Retrieved on 17th June,2021.
35. www.researchgate.net>publication (2020). Administrative Law: Concept, Definition, Nature, Scope and Principle and its sources. Ishwor Thapa (2020).
36. www.supremecourtcases.com

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