

Duty Ethics as a Panacea to Bad Behaviour in Public Office in Nigeria: A Philo-Ethical Perspective

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Abstract

The paper examines duty ethics as a panacea to bad behaviour in public office using a philo-ethical perspective. Bad behaviour constitutes an incorrigible problem associated with public office holders in Nigeria. The menace is responsible for the plethora of problems militating against the development of Nigeria. Bad behaviour, manifesting in non-payment of salaries and pensions has made most civil servants, pensioners and local government workers in Nigeria to be experiencing severe economic hardship. It has denied the generality of the citizens the enjoyment of essential services capable of improving their living standard. Bad behaviour is responsible for the diversion and conversion of funds meant for the welfare of the citizenry of a country to private and personal use. The objective of the paper is to identify the root cause of bad behaviour in public office and to show how duty ethics can stem and curb it. Critical method was adopted in the study. The paper identifies the non-adherence of ethical codes as being responsible for the upsurge of bad behaviour in Nigeria. Thus, it concludes that bad behaviour can be eradicated in Nigeria through a well-sustained ethical re-orientation rooted in Duty Ethics in both public and private establishments. Duty Ethics outlines the right codes of behaviour that a public officer ought to exhibit in order to lead a good and fulfilling life worthy of emulation and devoid of altering the universal order or harmony. This would ensure that public office holders portray actions and conducts that promote moral goodness, fulfillment, peace and respect for human dignity. The elimination of bad behaviour, especially in public office, would enable the citizens to realize their full potentials as funds/resources meant for their well-being and welfare will be judiciously utilized to improve their living standard and promote socio-economic development.

Keywords: *Bad Behaviour, Duty Ethics, Universal Order, Socio-economic development*

Introduction

Bad behaviour in public office remains a very serious problem plaguing many societies, particularly Nigeria. Philosophers and socio-political analysts are justified in their views that the prevalence of bad behaviour in public office can be attributed to non-adherence to ethical code of conduct. Bad behaviour denotes conduct or actions that deviate from acceptable standards or norms in a society. This conduct or action, which is mostly associated with public office holders, has enthroned corrupt practices such as diversion or conversion of resources/funds meant for achieving the goal of a group or organization to private/personal

use, over-invoicing, forgery, mismanagement, awarding of contracts to family, relatives and cronies, issuing payments for goods or items not supplied, subverting of procurement process, embezzlement of public funds, accepting kick-backs and inflation of contracts. A clear example of bad behaviour is illustrated by Alli (2018) when he writes that the former Chief of Army Staff (COAS), Lt. Gen. Azubuike Ihejirika was grilled by the Economic and Financial Crime Commission (EFCC) over N13 billion arms cash traced to him and his relations. Putting the records straight with regards to why the conduct of the erstwhile Army chief constitutes bad behaviour, Alli asserts:

Ihejirika was asked to account for the transfer of N115m, \$132,000, €16,000 and £44,0000 to his relatives who allegedly did no job. The five beneficiaries are Raymond Ihejirika, Nkechi Ihejirika, Ndubuisi Ihejirika, Orji Ihejirika and Kingsley Ihejirika. He was also questioned for allegedly awarding N3, 658,293'846.94 contracts to two companies owned by his brother-in-law, Chinedu Onyekwere.

The above example only goes to confirm what actually takes place in public offices where those in position of authority award contracts to their relatives, even when their relatives did not bid nor submit a tender for such contract. Also, the former Secretary to the Government of the Federation Babachir Lawal, was relieved of his position in the Buhari administration for diversion of funds meant for the welfare and well-being of Internally Displaced Persons (IDP's) in the North-East. Today, women and girls are raped on daily basis in the IDP's camp in exchange for food and money. How can a public servant of such high position descend so low as to divert what would have been used to put smiles on the faces of those that Boko Haram destroyed their homes. This bad behaviour, portrayed by the SGF, is a confirmation that public office holders in Nigeria, no matter their position, will not desist from exhibiting unethical acts that are inimical to socio-economic development.

Bad behaviour, which is very rampant in public office also led to the removal of Femi Oke, the Director-General of Nigeria Intelligence Agency (NIA), when it was discovered that he stashed N13 billion in an apartment located in Ikoyi, a highbrow area in Lagos State. Public analysts and other relevant stakeholders have come out to condemn bad behaviour in public offices. The foregoing raises pertinent questions such as: Why is bad behaviour prevalent in public offices in Nigeria? How and where did the behaviour emanate from? What needs to be done in order to eradicate the conduct? How would public office function without the problem of bad behaviour? These are some of the vital issues that necessitate the paper. Thus, to achieve the objectives of the study, the paper will be structured in three sections. Section one undertakes a brief analysis of bad behaviour among public office holders. Section two takes a look at the views of some Philosophers concerning the subject matter. Section three highlights bad behaviour in Nigeria and the role of philosophy in stemming the menace. Thereafter, we put forward comments which conclude the paper.

Philosophers on Bad Behaviour

The issue of bad behaviour dominated the ethical theories of the Classical philosophers beginning with Socrates, who discovered that the politicians of his day were portraying conducts that were harmful to the development of society and by extension, development of man. Thus, as a way of foisting a change in behaviour of the politicians, Socrates articulated his ethical maxim; "To know the good is to do the good". This view by Socrates reveals that as humans, we ought to know that doing what is good remains the only path to happiness. Stumpf (1993) interprets Socrates to have equated virtue with knowledge in relation to

human behaviour. He explains that Socrates' equating of virtue with knowledge implies that every human being is rational having a rational function to fulfill.

Virtue meant for Socrates, fulfilling one's function as a rational being. A person's function is to behave rationally. At the same time, every human being has the inescapable desire for happiness or the well-being for his or her soul. This inner well-being... can be achieved only by certain appropriate modes of behaviour (Stumpf, 1993).

From the above, one can understand Socrates clearly that bad behaviour hinders the happiness and well-being (peace of mind) which the soul of every rational being is expected to have. This position by Socrates brings to light why the emphasis of the Classical period of Philosophy was on man and the development of society. By implication, bad behaviour constitutes an obstacle to both the moral development of man and society.

Plato (1992) also attributes the good life as one of inner harmony, well-being and happiness. In his view, goodness, which is happiness, can only be achieved by man through the exhibiting of appropriate mode of behaviour, capable of producing well-being and harmony. Aristotle (1998), while commenting on bad behaviour, maintains that every individual has an end to achieve or function to fulfill with his or her action. The ultimate end therefore of our action or behaviour, is aimed at achieving the supreme good, which is happiness. From the foregoing, we can clearly see that the Greek philosophers consider happiness to be the goal of human behaviour. This means that every action of humans, especially those occupying public office is to promote happiness. Augustine (1984), who represented the Fathers in the medieval period, did not deviate in terms of what constitutes happiness. In his view, the goal of human behaviour is to achieve happiness and since humans were created by God, he opines that they are expected to exhibit good behavior at all times for bad conduct is not associated with God's creature.

In the Modern era, Hobbes (1994) implied the notion of bad behavior in his categorization of the state of nature as being poor, short, brutish and nasty. Machiavelli (2003) made mention of bad behaviour when he encouraged rulers to developed the act of deception, which in itself, ought not to be part of the conduct of politicians. Stunpf (1993) once again buttresses the presence of bad behaviour in Machiavelli's day thus; "...*there was corruption at the highest level even among the Popes of his day... Machiavelli believes the Popes were irreligious and bad*". As a way of stemming bad behaviour, the German Philosopher, Immanuel Kant articulated a universal conception of Ethics in his *Categorical Imperative*, which outlines principles of human behaviour that must be binding to all. This means that before one exhibit any conduct, he or she must be sure that it will be accepted universally as good conduct. This means that a conduct that will not be accepted universally as good conduct will not be exhibited by an individual so as not to receive condemnation and vice versa.

From the above exposition, we have seen that philosophers kicked against bad behaviour with the exception of Hobbes and Machiavelli. This goes to show that humans must ensure that their acts promote happiness, well-being or harmony, not disharmony and unhappiness.

Bad Behaviour in Public Offices in Nigeria

Bad behaviour in public office is one of the factors militating against the delivery of the dividends of democracy to majority of Nigerians and the enjoyment of essential services capable of improving the living standard of Nigerians. It is responsible for the high rate of poverty and unemployment currently rocking the country. It hinders good governance that

would ordinarily impact positively on the lives of the citizens. Bad behavior makes public office holders violate the provisions of due process in the award of contracts. It is responsible for the diversion of resources meant for enhancing the well-being and welfare of the generality of the citizens. Many innocent Nigerians, particularly pensioners, have been sent to their early grave due to bad behaviour. Presenting a lucid picture of how bad behaviour is used by those in position of authority to subvert due process and enrich themselves and their relatives or cronies, Egharevba and Chiazor (2012) posit that “rather than the leadership of the state who occupy positions of political control or governance to use the resources of the country to promote the well-being of their people, they use their political office and position to plunder the country’s wealth for their personal self-centred aggrandizement and to reward their personal allies and external foreign collaborators at the expense of the overall national development of their country and people”. The above assertion reveals clearly the exact happenings in Nigeria’s public offices, where the procurement process is violated and abused to promote personal gains.

Alli (2018) also presents a succinct picture of bad behaviour in public office in which the procurement process is violated in order to promote private gain and interest by a high-ranking public officer:

The ex-Chief of Army Staff, Lt.-Gen. Ihejirika will account for over N13billion arms cash during his tenure from September 2010 to January 2014... he said he did not commit any infractions, but admitted that contracts were awarded to his brother-in-law based on emergency needs of the Army. He said the contracts were duly and satisfactorily executed by Chok Ventures Ltd and Integrated Equipment Services Ltd owned by his brother-in-law. However, the Committee reviewing the procurement carried out by Chok Ventures Ltd and Integrated Equipment Services Ltd, established that between March 2011 and December 2013, the two companies exclusively procured various types of Toyota and Mitsubishi vehicles worth over N3, 658,293’846.94 for the Nigerian Army without any competitive bidding. About 17 contracts were awarded to the two companies to procure the vehicles and most of the contracts awarded to the companies were also split, awarded on the same date or within a short space of time at costs and mobilisation higher than the prescribed thresholds. For instance, on 15 Feb 13, the two companies were awarded contracts worth N260, 000.000.00 and N315,000,000.00 respectively for supplies of various vehicles, but the Committee found no credible evidence of delivery of the vehicles by the two companies as there were no receipt vouchers but only unauthenticated delivery notes, invoices and waybills that were purportedly used for the deliveries.

Alli further reveals that critical analysis of the various banks accounts of the 2 companies showed transfers to individuals, such as Raymond Ihejirika, Nkechi Ihejirika, Ndubuisi Ihejirika, Orji Ihejirika, Kingsley Ihejirika and Naomi Onyeabor. Consequently, the committee opines that the poor procurement process associated with the various contracts, particularly DICON, contravened financial regulations, encouraged illegal withdrawals leading to wastage of public funds, diminished the capacity of the Nigerian Army in the campaign against terror and served as a conduit for misappropriation of entrusted funds (Alli, 2018). This position by Alli shows how bad behaviour encourages the use of public funds to advance the interests of relatives and family members of those in position of authority. Accountability, integrity, impartiality and transparency, values that define standards of

conduct in public service, have been jettisoned in place of partiality, forgery and corruption, which combine to undermine the performance of public officers in Nigeria. The former Chief of Defence Staff (CDS), Alex Badey, was also quizzed for diversion of funds meant for the welfare of staff of the Air Force.

Similarly, AbdulRasheed Maina, the erstwhile chairman of the Presidential task force on Pension Reforms, who mismanaged over N195 billion pension funds and made it difficult for pensioners to access their hard-earned money, is another case in question. This brazen show of bad behaviour, led to the death of several pensioners across Nigeria. What of the Steve Oronsaye's mismanagement of over N123 billion meant for the welfare of Civil Servants? What about the fuel subsidy scam of \$6 billion in which the "Mr. Integrity" of the House of Representatives, Farouk Lawal, collected N625 million from the chairman of Zenon Oil, Femi Otedola to expunge his name from the fuel subsidy report? The subsidy scam made Nigerians comprehend the meaning of integrity in the so-called hallowed chambers of Nigeria's Senate. All these also reveal that bad behavior is now a cancer in public offices in Nigeria that is gradually spreading to other private organisations. It is the contention of this paper that if nothing is urgently done about the malignant tumor, then socio-economic development would remain a mirage to Nigerians. The above clearly informs the position of Casimir, Izueke and Nzekwe (2014) when they assert that corruption (bad behaviour) is implicitly displayed in the two legislative chambers of the Senate when they perform their oversight functions in which "oversight committees demand bribes...bad behavior is caused by the collapse of institutional measures and codes of conduct. The high level of bad behaviour in Nigeria can be attributed to the whittling down and non-existence or non-adherence of ethical codes in the public service". They conclude by maintaining that unethical practices as expressed in the form of bad behaviour in public office is on the increase due "to systemic abandonment of core African human values by public servants". A case in point, to buttress the above, is the one involving Senator Hembe who the Director-General of SEC during the past administration, Stella Otey said demanded bribe from her, failure of which her name would be indicted in their report. The above happenings prompted Tabia (2016) to maintain that Nigeria is a country where bad behaviour is considered good. His assertion stems from the very many cases of bad behaviour in Nigeria where the culprits have no case to answer and walk the streets of Nigeria as a Saint. Sometimes, they (culprits) are even celebrated with huge fanfare as was the case with Bode George, a former Chairman of Nigeria Ports Authority (NPA).

A Philo-Ethical Perspective of Duty Ethics as the Panacea for Bad Behaviour in Public Office

The role of philosophy in tackling bad behavior in public is to be gleaned in the definition of the subject as the discipline concerned with providing answers to questions and problems confronting the society. There is no gainsaying the fact that bad behaviour entails conduct that deviates from acceptable norms or standards of a given office or position. If this is true, then it behoves on the branch of Philosophy that deals with human conduct in terms of good or bad-Ethics- to come to the rescue. Therefore, the most important role of philosophy in tackling bad behaviour prevalent in public office entails the entrenchment of ethical re-orientation rooted in Duty Ethics in both public and private organizations. This would be well-sustained so as to achieve the desired result of stemming the tide of unethical practices in public offices in Nigeria. Philosophy, using Duty Ethics-a code of conduct, prescribing the right kind of duty (behaviour) expected of humans- remains an effective panacea to unethical behaviour that is rampantly displayed in public office. Davis (2009) agrees with the cleansing power of philosophy using duty ethics to rid bad behaviour out of public office in Nigeria.

For him, “Governments all over the world are increasingly recognizing the power of duty ethics as a necessary agent to cleanse the unethical behaviour of both civil servants and politicians”. He concludes by reiterating that the cleansing power of duty ethics as a veritable tool for curbing bad behaviour lies in its ability to ensure fair and honest behaviour of individuals and organisations acting in the public sphere to promote moral goodness, fulfillment, peace and respect for human dignity in the discharge of duties/functions of their office. Duty ethics is seen as a veritable tool for curbing bad behaviour due to its insistence that everyone has a duty and obligation to do the right thing always. Popkin and Stroll (1981) posit that the attraction of duty ethics in minimizing bad behaviour can be gleaned from the fact that it clearly enjoins humans to “perform acts which by its very nature obligates us to carry out regardless of our inclination”.

Duty Ethics originates from the Greek word “deon”, which means duty. In its original meaning, one can infer that duty ethics states that everyone has certain duties which they have to fulfill and fulfilling these duties denotes a moral requirement that is independent of any considerations involving virtue or consequences. Philosophers associated with Duty Ethics include A.C Ewing, W.D Ross, Jeremy Bentham, Immanuel Kant, Paul Stalins, Roger Sullivan, etc. Similarly, duty ethics is not founded on any religious conviction, empirical or scientific knowledge, creed, doctrine or belief. Rather, it is an ethical theory that is fundamentally grounded in formal reason. Hence, it stipulates that humans have a duty to treat other humans as fully humans in the discharge of their functions or duties. Stalins (2016) made this position clear by asserting that “if we treat others as they should be treated from some other motive than that it is our duty, we cheapen our moral actions and degrade our own dignity”. Stalin made this assertion owing to the fact that as humans, we are always tempted to pursue our own personal interest rather than the interest of the generality. Thus, it is clear that the role of duty ethics in stemming the rising tide of bad behaviour lies in highlighting the need for humans to exhibit good behaviours or performing actions that everyone will see and conclude that the person exhibiting the conduct or action is upright and behaving morally. Demonstrating what a moral action is, Stalins (2016) asserts that “a moral action is one done from a respect for duty. A moral person is one who acts from duty”. It is glaring that morality is intrinsically connected with one’s duties and obligations and a man is only moral when he acts from a sense of duty.

From the above, we can sum up that the fascination for duty ethics as the panacea for bad behaviour in public office stems from its insistence that humans behave in such a way that their behaviour or conduct can be used as a yardstick of a universal law, that is, code of conduct to which people ought to conform. Therefore, in whatever capacity public office holders are called to serve in Nigeria, they should know that they ought to serve in such a way that their service promotes the moral good of others. According to this way of thinking, public office holders have a duty to be honest and by implication, members of the public would have the right to expects honesty from them. Discharging their duties with all sense of honesty will enable them enjoy inner peace and fulfillment. But, when they exhibit bad behaviour, inner peace eludes them and the moral order/balance which they have altered as a result of their bad behaviour haunts them for life. Therefore, to avoid this, imbibing duty ethics becomes the sure route for lasting peace, fulfillment and harmony.

Conclusion

Bad behaviour constitutes a cog in the wheel of progress and development of any country. This unethical practice, which is common with those in both private and public organisations, takes the form of forgery, mismanagement, embezzlement, diversion and conversion of funds

to private and personal use, inflation of contracts, demanding and accepting of kick-backs, to mention but a few. The resultant effect of bad behaviour is that it undermines socio-economic development, promotes poverty and unemployment, insecurity, violates and subverts the procurement processes, promotes nepotism, cronyism and favouritism as well as promotes mediocrity over meritocracy. The use of bad behaviour to advance the well-being and welfare of family and relatives of the public office holders at the detriment of the generality of the citizens has grave consequences for progress and development in Nigeria. The paper concludes that the pivotal role of philosophy in tackling bad behaviour entails carrying out a sustained ethical re-orientation rooted in Duty Ethics in both public and private establishments. Duty Ethics outlines the right type of behaviour that a public officer ought to exhibit in order to lead a good and fulfilling life worthy of emulation as well as attainment of inner peace and harmony. This means that a public servant ought to discharge the duties and functions of his/her office as provided for in the terms of reference of such office without consideration for personal aggrandizement. The elimination of bad behaviour would enable the citizens to realize their full potentials as funds/resources meant for their well-being and welfare of all will be judiciously utilized to improve the living standard of every member of the society and ensure peace and progress/development.

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