

Effects of Administrative Law on Development Administration in Nigeria

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Abstract. The wild hardship of socio-economic problems in Nigeria has degenerated to label the country as poverty capital of the world. While insecurity agonies of prolonged failure of political leaders to provide good governance still blossom; corruption, brutality, and impunity of government officials also increase. Hence, the capacity of development administration to add value to public administration progressively deteriorated. This paper assessed the effects of administrative law on development administration in Nigeria. Data were gathered from relevant textbooks, journals, newspapers, and unpublished literature. Descriptive method was used to analyse the data. Adopting the rule of law approach as the conceptual framework; the paper identified political leaders, administrative law, and development administration as critical machineries for achieving the goals of the Nigerian state. The paper found the effect of administrative law on development administration as not good enough due to immense failure of political leaders to allow proper application of rule of law; change their priorities for self-service; and the overbearing corruption in Nigerian state. It recommended among others that the character of the Nigerian rulership should be re-branded from political dealers to leaders. Also, Nigerians should clamour for good leadership; vote for leaders with credentials and willingness to work for Nigeria; transform the country to where things work and where rule of law and good governance are not compromised.

Keywords: Administrative Law, Social Control, Social Problems, Policy, Development, Development Administration, Administration of Development

1. Introduction

A country is curious to create sufficient legal and structural system to maintain order and build capacity for achieving good governance. Expectedly, creating enabling environment by government enables legitimate business to be carried out by both private and public sectors. Towards this, opportunities for subversive elements that would generate nasty disorder, squalor, hardship, brutish and short of life to people with other threats to progress and general survival of people and the polity are sufficiently dealt with. Once a country is unable to curtail challenge of security, maintain rule of law, and promote good leadership, such a country is fast walking into anarchy. This is in line with the saying that "people think well when they slept well." How reasonable will people who are incarcerated by the menace of kidnappers and other armed bandits think about doing any profitable business? Or will people who are suddenly chased into Internally Displaced Persons Camps (IDPs) by the boko haram terrorist group and Fulani herdsmen massacre squad from their ancestral homes consider engaging in any useful business? Or can any responsible investor be interested to establish business in environment that is not secured?

How well people with accumulated depression arising from long years of dissatisfaction from bad governance build their trust on Nigerian political leaders and public administration? This is why the structural and legal framework of any country should not only be considered very critical but should be taken as a very serious business.

The 1999 constitution of the Federal Republic of Nigeria, laid down fundamental objectives and directive principles of the country policy. It recognised government as the principal agent of Nigeria and further defined how and why with the machineries or administrative organs and other functional structures it needed to utilise. Thus, section 14 of the 1999 Constitution of the Federal Republic of Nigeria directed that it shall be the responsibility of organs of government, public authorities, and persons exercising legislative, executive, or judicial powers to conform to administrative rules; observe and apply them for attainment of common good. Explicitly, section 14 (2) (b) of the constitution, empowered government to guarantee security and welfare of citizens. This implies when such facilities are lacking, the government is held accountable. So, the various institutional machineries such as public administration, development administration and administrative law are emplaced to work towards translating the will of the Nigerian state to concrete reality.

But, in recent times, the political ruling class directing the government affairs has never allowed reasonable engagement of the people. Neither has there been any improvement of the poor responses to public demands by government at all levels; nor has any appreciable step on the dehumanising socio-political and socio-economic among other problems eaten deep the fabric of the Nigerian state is being addressed. With utter dismay, the peaceful protests by patriotic Nigerian youths calling for police reform, especially the abolition of the Special Anti-Robbery Squad (SARS), also failed to receive substantial responses of government. Instead, it turned to confrontation leading into further brutalisation of innocent youths and further destruction to the already depleted nation's economy. As expected, the peaceful

protest calls for conscious strides of government and its agencies to redirect commitment and policies round the centre theme of removal of the aching social problems, poverty, and to work towards a steady increase of income of people to improve their mystifying living conditions. Hence, there is no iota of doubt that such protests would have been incited by the long years of public experience of bad governance of the Nigerian political leaders with its grave consequences of unemployment, underemployment, and poverty among others (Okolie and Ezirim, 2020).

While public administration is concerned with the translation of national interest to concrete reality by implementing all governmental policies, decisions, and legal frameworks directed on governance issues, development administration is about governmental operations and activities designed to lift the nation out of depressing socio-economic conditions and keep the people and the environment in a stable and progressive atmosphere. Then, administrative law keeps the powers of government and its agencies within their legal bounds. It protects the citizens against abuse of government officials and compels them to perform their duties as expected. Therefore, administrative law is considered as the body of general principles that govern the exercise of powers and duties of public authorities (Wade, 1971; and Akpotor, 2015).

Pitching tent from the foregoing, development administration in Nigeria is considered as panacea to the wild hardship, deprivation, insecurity with political and other socio-economic problems turning the country apart. But, the Nigerian state has continued to nurse pain in its areas of political, economic, social, and cultural disorders arising from the unbridled inactive and impunity of most government officials who do whatever they like and go free. Hence, the country is being enveloped with status of severe hunger, threat to lives and properties, and very poor living condition. According to Adejokun (2020), Nigeria tops the lists of countries with extreme poverty. Out of the estimated 200 million people in 2019, 98 million of them were living below abject

poverty. Also, Olorok, Nwogu, Olugbemi, and Nwakanma (2020:9) documented the lamentation of the Catholic Bishops Conference that: “the level of insecurity in Nigeria today is such that whether at home or on the road, most Nigerians, in all parts of the country, live in fear.” The view of Adamolekun cited in Ajaja (2020) emphasised the poor capacity of public administration, development administration, and administrative law in Nigeria to implement development policies, projects and programmes. Adamolekun, however blamed the deficiency on the unwillingness of political leaders to allow enabling environment for proper implementation of reforms in the public service; respect to rule of law and apply merit principles in Nigerian public sectors for high quality service delivery.

This paper looks at the effect of administrative law on development administration in Nigeria. It gives useful information about the functions of administrative law and its stance of development in Nigerian state. It suggests how to improve the present staggering dimension of development administration in Nigeria. The paper is organised into seven parts. The first part is the introductory; the second and third parts focused on theoretical framework and conceptual issues; while the fourth other parts are concerned with implementing development policy programmes; effects of administrative law on development administration; challenges of administrative law and implications for Nigerian development administration; conclusion and step forward.

2. Theoretical Framework

The conceptual framework adopted for this paper is the principles of rule of law. Among the frontline apostles of the doctrines include erudite Aristotle, John Locke, Baron Montesquieu, and Albert Venn Dicey. The doctrine is capable of several meanings. However, three of its assumptions are related to this paper. Supremacy of law is first. This is opposed to influence of arbitrary use of powers. As noted in Iluyomade and Eka (2007), government actions and powers are exercised in accordance with law. This suggests that arrogation of powers by government authority is prevented. Meaning that all actions and powers are exercised under the

canopy and backing of the law. Such practice guarantees justice, equity, fairness, peace, and good order. It also helps to stimulate decorum; promotes accountable and transparent governance where enabling environments are created for administrative control and diligent implementation of development policies.

The second is equality before the law. This is opposed to discriminate application of rules by government authorities. It means that both the rulers and the ruled are equal in eyes of the law. Hence; everyone is treated equal with exception of some privileges permitted by the constitution for certain public officers. In this sense, social standard and social actuality created by law are not defied. To put it differently, certain standards of behaviours within the public and private organisations are being maintained. For instance, policemen are trained to keep peace and to also restore peace when there is confusion or rancour persisted within the neighbourhood. They do not abuse the wide powers given to them under the law. But, the powers are judiciously and justifiably utilised to guarantee friendly environment for both public and private sectors to exercise their obligations for the progress of the country. To this end, development policies, programmes, or projects in the country are properly, effectively, and efficiently executed by administrative authorities paying attention to administrative rules (Idada, 2018; and Azelama, 2016).

The recognition of fundamental human rights is the third. This can be christened as principle of *Salus Populi Est Suprma Lex*; meaning that: “the welfare and interest of the people is the supreme consideration of law.” This is elaborated in sections 33-43 of the 1999 Constitution of Nigeria. It emphasised the preservation of fundamental rights of individual; guarantees individual’s right and freedom to life (33); respect for the dignity of a person (34); freedom for personal liberty (35); right to fair hearing (36); right to private and family life (37); freedom of thought, religion, or belief (38); freedom of expression (39); guarantees freedom to associate or join political party (40); freedom of movement (41); freedom against discrimination (42); and right to acquire

moveable or immovable property in anywhere in Nigeria (43). In all these, government security agencies are restrained from brutality and torturing. They are prevented from degrading and all manners of inhuman treatments. They are further prevented from arbitrary arrest, detention, extra-judicial killings and other forms of jungle justice. These are linked to the principles of fair hearing (*Audi Alteram Partem*) and rules against interest and bias (*Nemo Judex Casua Sua*) (Dicey, 1951; Friedrich, 1968; Aghayere, 2007; Iluyomade and Eka (2007).

Without controls, the powers, duties, actions, authorities, rights, and liabilities of those who engage in government administration, the reality of proper implementation of development policies, programmes, or projects will be short-changed. Barro (2000) noted that a new state and states with survival risk or dwindling economy like Nigeria needed active rule of law for governance institutions like the police, the court and the legislature to build a viable nation and maintain stability of governance through the relevant mechanisms of government. Here, these mechanisms are essentially the political leaders, public administration and its affiliates of development administration and administrative law. These are to work in a co-operative sense to create rapid structural and institutional transformation in a manner that will most efficiently bring the fruits of economic, political, social, and cultural progress to the broadest segments of the populace of the country. This is necessary to arouse the strides towards rapid and large-scale improvements in every sphere of the stricken poverty, hunger, insecurity and armies of illiterate people in Nigeria (Adeoye and Matilukuro (2005).

Applied to this paper, the rule of law approach gives better appreciation of the fact that for some times now, the state of the Nigerian nation deteriorated like dilapidating story building on a sinking sand that is fast collapsing. Of course, this cannot be unconnected with the long barrages of utter violations of rule of law influenced by poor governance process of Nigerian political leaders. This is related to Edo adage that “when there is a prolonged crisis in a community, it means the leaders are

benefitting from it.” So, it is difficult to understand why the Nigerian political leaders appeared to always watch governance crises to degenerate into more crises only to set up what looked as ritual panel of inquiry even when the causes and solutions are known. When people who are supposed to oversee the welfare and security of people; when people that could make and enforce law in a manner that can enhance equity; fight against deprivation of public good; when people what are given state power to curb socio-problems, control poverty, arrest economic crunch, prevent political malign; when people who supposed to display high sense of responsibility and commitment to nation building and utilise state resources to enhance good governance and general progress but are immensely and extremely insensitive to begin to use the state powers towards the ends that are generally un-progressive, and anti-people in order to promote their self-service interests shall hugely affect the capability of administrative law to function in a manner, which shall enhance the productivity of development administration in Nigeria.

3. Conceptual Expositions

Myriad meanings of administrative law and development administration are presently available in literature. All the same, these myriad meanings have triggered their inadequate conceptualisations within the intellectual realm. Hence, reviews of more critical concepts are considered compulsory to broaden the conceptual knowledge required to capture the nitty-gritty of this paper.

3.1 Law as Social Control

Like other fields of administration, management, social sciences and some other disciplines, there is no universal definition of law as social control. What is done here is to explain what law entails to give room for better appreciation for what it means by social control. There are various schools of thought explaining what law is all about. Prominent among these schools are the natural school, the positivist school, the jurisprudence school, the realist school, the historical school, the Marxist school, the

sociological school. But, the natural law school of thought that saw law as “what it ought to be” captured the purpose of this paper. In its sense, law is considered as accepted rules based on the objectivity, moral standards, honesty, or humility, and integrity to regulate human actions and govern society. In this case, society is viewed as a collection of fairly large mass of people bond together by shared values. This shared value inspired people to behave and do things that suit their value system. This also saw law as contained in the Holy Bible, especially in Mathew 7:12 saying, “do to others all things that you would want them to do to you.”

In attempt to discuss law as a social control, one needs to be mindful of what human and societal desires are. Hence, it is not funny that a society formed via collection of people and tied with their communal values, which give rise to their common interest, would not tolerate any element or force that tends to undermine their value system. Since, it is apparently impossible for people to live in seclusion and in the face of unavoidable scarcity of values; there is a foreseeable danger for them to succeed without subjecting their behaviours under control. This paves way for law as instrument of introducing rules and structures to govern a society to the set goals. Apart from bringing some elements of standard into the society, law sets fundamental objectives and directive principles for state policies in which the framework for governance are structured. In this sense, law permits the doing of some actions and prohibits the doings of some other actions. Importantly, law has no reward for those who obeyed it. And yet, it sanctions those who disobeyed it. Typically, law does not excuse those who claim knowledge of ignorance (*Ignorantia legis non excusat*) except on the ground of procedural defects (Aghayere, 2007).

From the foregoing, law was presented as a norm, rule, or body of principles used to regulate human conduct and govern polity. This claim supported Obilade (2002:3) who pointed out that law “consists of a body of rules of human conduct.” Society either primitive or civilised is governed by a body of rules, which is regarded as the standard of behaviour. Therefore, law is a

set of formal methods of control that utilises specialised procedures to create order. Also, it creates rules in form of policies to govern the relationship between the conflicting value systems of groups of people living together. In addition, it is law that created political and administrative structural institutions with defined objectives and processes as typified in the arms of government and their functions (FGN, 1999).

Furthermore, law determines who is to exercise political or administrative powers and how these powers are to be exercised. Beyond resolving political conflicts in a well-ordered process, every power or action of public servant is considered legitimate only if it is allowed by law. But, in Nigeria of recent, many public servants particularly political leaders do not respect the law. Instead they engaged in doing things perceived as most outrageous. This attitude implicated poor decorum and reasonable decline in public service delivery. Chief John Odigie-Oyegun cited in Aliu (2020) lamented the greatest problem in Nigeria as lack of due process and lack of respect to the constitution even by those piloting the affairs of the nation. This has raised efficacy question on administrative law, which keeps government and its officials within the bound of the law. Why development policy programmes should suffer abandonment? Why should social problems and administrative recklessness be traced to public administrators? Or why should there be wild deterioration of socio-economic and socio-political conditions in the Nigerian state with an unending increase in corruption and abuse of powers? These speak volumes of a country with despotic and very corrupt political leaders.

3.2 Administrative Law

Considerable literature on administrative law showed there is no one acceptable definition on the subject. This claim supported Aghayere (2007:18) who maintained that “administrative law defies almost precise definition.” To him, administrative law is defined in twofold. One, it is considered as a law of public administration. Two, it is viewed as a body of general principles that govern the exercise of powers and duties of public authorities. According to Iluyomade and

Eka (2007:2), “the problem of defining administrative law and its scope is exceedingly vast and tortuous. However, it is better to be able to recognise an elephant, even if one is not able to describe it.” The above claim was well summarised by Craig (1983:3) who said:

“A perusal of the literature presents the reader with a considerable diversity of opinion. Description and prescription not easily separated. For some, it is the law relating to the control of government power. The main object is to protect the individuals. Others place greater emphasis upon rules, which are designed to ensure that the administration effectively performs the tasks assigned to it. Yet, others answer the question by providing a catalogue of the institutions commonly dealt with by administrative law and a description of the main legal principles applied to them.”

Davis (1975) described administrative law as the law concerning the powers and procedures of administrative agencies. While he defined the administrative agencies as those that exist under the watch of the federal, state, and local governments as they engage in the business of the state. The view of Schwartz (1983:3) supported Davis when he defined administrative law as the branch of the law that controls the administrative operations of government. It sets forth the power that may be exercised by administrative agencies. It also lay down the principles governing the exercise of these powers and provides legal remedies to those aggrieved by administrative action. For Dicey (1951), it is used to subject the government and its agents to judicial control with a view to preventing them from arbitrary action. Going further, he saw the essence of administrative law as to prevent government and their agencies from doing what the law does not permit.

Foulkes (1986:1) said “administrative law is the law relating to public administration. It is concerned with the forms and constitutional positions of public authorities; their powers, duties, and procedures to be followed in exercising them.” Contributing, Yardley (1981:14) said “the kernel of the whole subject of administrative law is the control of power within its lawful compass.” This raises the issue

of the scope of administrative law, that ranges from the duties and authorities assigned to public government agencies from time to time.

William (1951) saw administrative law as the law, which regulates the privileges of civil servants and administrative procedures. A public officer that breaches the rules or regulations supposed to face public prosecution in a court of law. However, administrative disciplinary actions and procedures are used to determine the case and fate of those who breached administrative offences in the public service. This is however, subject to the magnitude of the offence. When it is murder or rape for instance; it is beyond the scope of administrative law. In this sense, the administrative preliminary process will be done while the crime is reported to the police for legal prosecution.

3.3 Administrative Law and Constitutional Law

The challenge of differentiating administrative law from constitutional law becomes another issue after dealing with the definition problem of administrative law. The dividing line is very thin as both deals with issues relating to the functions, powers, rights of citizenry and public servants. Their areas of commonalities centred on use of principles, rules, maxims, statutes, case law, and remedies among others. Also, both applied constitutional and administrative powers, and issues relating to public administration. They all have concerned with the implementation of both administrative and constitutional laws and utilisation of government and administrative structures (Foulkes, 1986; Dicey, 1951; Wade, 1971; Oluyede, 1988).

Aghayere (2007:33) said “for a long time, constitutional law and administrative law were confused as one.” As cited in Iluyomade and Eka (2007:4), Austin and Maitland, defined administrative law in terms of constitutional law. They blamed A. V. Dicey for denying the existence of administrative law as independent of the constitutional law in his work on rule of law. Supporting, Griffith and Street quoted in Iluyomade and Eka (2007:4), as saying that the “English administrative law has not yet

recovered from the confusion, which Dicey plunged it by denying its existence, through his misconception of the French *droit administratif*.”

Administrative regulates everything about public administration and its affiliates. It controls the use of administrative powers, authorities, and discretion to avoid abuse. It can be seen as the body of laws made by administrative authorities and government agencies in forms of circulars, executive order, operational order, administrative guideline, standing order, directive and decision, which enable them to carry out their duties and regulate themselves. In addition, administrative law can be viewed as administrative process, which provides for remedies of administrative acts that injured people. In this sense, administrative law serves as instrument used to resolve compliance issues and ensure decorum, commitment, comportment, efficient and effectiveness in public administration and its affiliates (Foulkes, 1986; Aghayere, 2007; and Iluyomade and Eka (2007).

In the contrast, constitutional law is regarded as the fundamental law of the land. It is seen as a body of written or unwritten laws in which a country is governed. Traditionally, the constitutional law is meant to fulfil the needs in a country’s political system. Hence, it acts as restraint on constitutional governments as there are provisions for the rule of law. In this sense, the constitutional law provides rule for both the rulers and the ruled. To be operational, it provides courts for settlement of contextual issues of disputes, or litigations and also to deal with criminal matters (Phillips, 1978; Akpotor, 2015; and Aghayere, 2007).

As the fundamental law in any country, whether such a country has written or unwritten constitution, the constitutional law is based on the rule of law to protect the liberties of the citizens. It is quite superior over all other laws. According to section 1 (3) of the 1999 of the Nigerian Constitution, any law that is inconsistent to the constitution is invalid to the extent of the inconsistency and it shall be null and void. Drawing from this, the ordinary law is

the law made by the National Assembly. Then, if the law made by the National Assembly is inconsistent with the constitution, it will be a nullity (Anifowose and Enemuo, 2005). What is deduced from the above is that the constitution law establishes and defines all organs and functional structures of government. Even though, administrative law defines and regulates how the duties of government and administrative authorities are to be carried out, it is amongst the instrument recognised by the constitutional law.

3.4 Functions of Administrative Law and Powers of Administration

The role of administrative law appeared to have been slightly exposed from discussion of the relationship it has with the constitutional law. But, in order to stay on the path of this paper, discussion of what administrative law emerged to do is being examined alongside with powers and functions of administration.

3.4.1 Functions and Powers of Administration

The functions and powers of administration entrusted to public officers and administrative authorities are meant to serve the interest of the Nigerian state. These functions are enormous and the administrative powers are extremely vast and great. As Aghayere (2007) noted, administration functions and powers are derived from the constitution and other statutes that defined what a particular administration and its officials should do and how to go about doing them. For instance, each level or arm of government, ministry, extra-ministerial department and other government agencies are established by law and each of them is assigned with function and power by the enabling law. Hence, the functions and powers of administration are tied to constitutional obligations at the level of the federal, state, and local governments and their personnel. Of noteworthy, is the fact that the functions and powers of administration are meant to be used in pursuant of the state objectives (Azelama, 2016; Wade, 1971; Akpotor, 2015).

As the instrument that serves public interest, the functions and powers of administration in the

Nigerian state have defied the caveat for being exercised in a manner that will protect the institution of the state; provide equal opportunity for Nigerian citizens under a competitive and comfortable environment. Instead, the character of the Nigerian state has become the one in which petty bourgeoisies of politician, security officers, bureaucrat, and business executive monopolising control and exercise state powers for their interests. This ugly trend resulted into marginalisation of the mass majority, which has dragged the country to socio-economic breakdown to the extent that things are not working fine nearly in every facet of the nation (Chibueze, 2009; and Oikhala, 2020).

3.4.2 Functions of Administrative Law

The meanings of administrative law showed that the efficacy of development administration is tied to powers of control exercised by administrative law. In other words, administrative law exercise control functions over how government and its agencies use the powers and actions in performing the various tasks of public administration including development administration that is one of its branches. Aghayere (2007) saw administrative law as an instrument for bringing government and its agencies within their legal bounds. He noted that the executive has a wide range of powers to tackle social problems and transform the society into modernity.

From the above, administrative law keeps the peace and promotes efficiency and effectiveness in government business. It prevents development administrators from illegal action. It settles value conflicts within the elements and organisations of government. In addition, it enhances due process, transparency and accountability in the various ministries, extra-ministerial and other government agencies to achieve optimal productivity in Nigerian public service. But, Ozumba (2014:97) saw the “sad story of abuse of liberty and freedom” of innocent people by those government officials who exercised administrative powers. These abuses manifested in forms of extortion, oppression, corruption, impunity, brutality, extra-judicial killing, framings, illegal detention, and hoarding of

palliatives by public most authorities. The recent “#EMDSARS) protests in Nigeria attested to impunity of government agencies and their personnel.

3.5 Administrative Decision

Administrative decision is not a narrow contest between two parties. Decisions are said to be an organisational blood, which transform its visions into concrete goal. Oruebor (2009) held that making a decision is the core of administrative process. Hence, administrative decision is viewed as the means by which administrators plan, organise, lead, and control activity of administration in a manner that will make them to decide or not to decide upon a course of action, and then implement the outcome administrative setting.

Aghayere (2007) viewed administrative decision as a directional compass that channels the organisational resources towards realistic goal path. This presented administrative decision as a tool for goal getting in development administration in particular and public administration in general. Thus, it determine what ought to be done for the general interest of the populace. Ikelegbe (2006) saw it as an action in response to certain societal needs or problems. For instance, it may be to decide for a first two weeks lockdown to curtail the spread of corona virus pandemic in Nigeria. Oikhala and Egugbo (2019) noted that administrative decision is about choice made by public administrators to give effect to the content and purpose of public policy, programme or project implementation issues. From the above, administrative decision in this paper is defined as the choice made for development machinery put in place to achieve the goal of transforming the socio-economic and nation-building in Nigeria.

3.6 Administrative Process

Certain processes peculiar to public administration, are found in development administration. Since government is faced with welfare obligations for its citizens, it is saddled with a wide range of policing framework to

grow the socio-economic, promote social security, stimulate political stability, and activates good order and enabling environment for providing essential services needed to uplift the poor status of a country in appreciable manner. These areas are not limited to health, education, roads, water, and electricity, which are capable to transcend the country into a secure and quality of life coupled with general happiness of the people. In this sense, administrative process is captured to reflect governmental scope, activities, organisation and procedures for exercising the role of administrative law towards productive outcome of development administration in Nigeria (Imhanlahimhim, 2000).

To further abreast with the administrative process, which administrative law deals with, a distinction between administration and policy is essential. At the basic level, policy is seen as a target, which a government unit wishes to achieve. So, policy lays down a general principle. Hence, administrative process deals with application of such general principle. Most times, development administrator may make a slight discretionary decision within the framework of the general policy for good outcome. As Aghayere (2007:20) puts it, “administration will apply the law in particular cases; draft necessary application forms and licences; arrange for eligibility examination; collect and account for fees payable; issue and record the licences to applicants among others.” Unlike the policy-maker and administrator, the distinction between policy and administration is somehow unclear. While policy is considered as an exclusive right of the legislative bodies, not all the members who represent the people incidentally have the expertise to make policy. Because, they were either nominated or elected for reasons beyond having the special knowledge of the particular activity they are meant to engage with.

Adebayo (2001) held the view that for a government to protect person and property against violence, to collect taxes, control traffic, provide health, education, and other infrastructural services, it must make regulations. Also, for it to settle disputes and

arbitrate between parties, it must conciliate and negotiate. Moreover, for a government and its agents it to make an equitable decision when faced with conflicting demands from opposing interests and factions in the community, the government must continually engage in balancing. This balancing is all about consultation, negotiation, mediation, and arbitration to arrive at compromise.

From the above expositions, the implication of striking a balance in administrative process is tied to maintenance of rules. This pitched tent on administrative law functions of guiding and controlling government agencies and their functions. As in practice, the courts rely on the police to enforce its decision. But, the police as one of the government administrative agencies can enforce its regulations without any assistance from the court. To put it differently, an administrative authority can impose development levies or taxes (legislative function); deals with complaints for exemption or relief (executive or administrative act); decides whether to accept or reject claims for exemption (adjudicatory function); sends out its officials for levy collections and arrest defaulters (enforcement functions). It showed the widening powers of the executive over others arms of government. Without a responsible government, this arrangement has a weaken effect on administrative law in the Nigerian state (Aghayere, 2007; and Ikelegbe, 2006).

3.7 Policy and Programme

Some people have used policy interchangeably with programme. For instance, some defined policy as a programme chosen from among several alternatives by certain actors in response to certain problems (Ikelegbe, 2006). Even though, there is a thin dividing line between them, available literature showed that policy is different from programme. For us not to digress from the goal of this paper, we look at the meanings of the two concepts separately.

3.7.1 Policy

Policy experts are yet to settle the challenge of one best-fit definition of the concept. Duncan

(1975:376) defined “policy as general acts, which affects many persons by creating rules and precedents.” Also, some saw it as a web of decisions framed to solve a given social problem in the society. The problem may range from insecurity, poverty, unemployment, poor educational to ethno-religious divide, inadequate healthcare services, value problem, terrorism, gender inequality, governance crisis, corruption, and outbreak of corona virus pandemic and so forth. This captured policy as a wide concept of issues about people and the environment they live (Ikelegbe, 2006).

According to Jenkins (1978), policy is a set of interrelated decisions taken by a political actor or a group of actors in order to address issue. Therefore, policy is tied to issues. For Dye (2002), policy is what government chooses to do or not to do. In this sense, policy may be an action that is taken or to be taken. Or, an action that has to be taken; or not to be taken by government. In another sense, policy is what the government intends to do or what it is actually doing. Adopted in this way, policy is a general rule and guideline designed and spelt out in clear terms the actions that administrators are to undertake and the way and manner in which they are to carry out the actions. So, as a framework, policy is a ‘road mark’ or lens that guides administrators on what to do. It designed implementation framework and set forth the pace and manner for implementation of the various development policies, projects, and programmes.

3.7.2 Programme

As Ikelegbe (2006:4) puts it, “a programme is the means designed to achieve government actions and intentions for common good.” Thus, a programme set activities and package decisions, rules, regulations, or structures to implement a particular policy.” This suggests that a programme is derived from policy. It further showed that programme is a by-product of policy. Hence, policies are consciously transformed into programmes while the programmes are subdivided into elements and activities for implementation. Adopted in this sense, policy is programme oriented. Once a

policy is made, it is translated into programmes elements for execution. The elements are converted into activities or jobs for discreet implementation. For instance, the national policy on housing is tagged, “shelter for all in the year 2020.” This policy statement is converted into programmes of building low and medium cost housing units for Nigerians across the country. Also, the programmes are turned into unit of activities or jobs of awarding contracts for building, electrical fittings, and plumbing among others to achieve the set goals. In all these, the concern of administrative law is to ensure that the project administrators keep to rules.

3.8 Development

The concept of development is a complex one. Hence, it defied one-best-fit definition. In line with the need for this paper, the radical view is adopted. What we mean by radicals are those who favoured fundamental reforms and changes through advanced policies and programmes. Thus, the radicals held the view that changes or development can only occur through conflict. It means that what makes development feasible is the resolution of conflict. Still relying on this elucidation, development will happen when two conflicting interests shift ground for compromise. The radical apostles are many. Among them are Walter Rodney, Karl Marx, and Dudley Seer.

As cited in Akosile and Faseyiku, (2001:21), Karl Marx argued that: “development only occurs as a result of historical dialectic changed idea to material contradictions.” Karl Marx then argued for the existence of two classes of people, which he described as the ‘have’ and the ‘have not.’ It is also known as the rich and the poor, which may also be called the ruler and the ruled; or the bourgeoisies and the proletariat. As he claimed, the bourgeoisies controlled the means of production, capital (money); owned land and put his entrepreneurial ability to bear and engaged the proletariats who were the poor (labour) for services. In all, the poor proletariats would want to break away from the yoke of poverty, oppression, bondage, brutality, extortion, and exploitation; while the rich bourgeoisies would equally want to maintain the

all manners of exploitative, brutality, and oppressive tendencies on the poor proletariats; but the resolution of the interplay and conflict would lead to development.

Rodney (1972) saw development as a multi-faceted process. From the angle of an individual, it is increased skills and capacity for greater freedom, creativity, self-discipline, and responsibility and material wellbeing. Viewing from the above, development entails the increasing ability, capacity, and capability of people living in a society to be able to satisfy their needs at any point in time. According to Weidner (1962) development involves the process of achieving growth in the direction of modernity in relation to nation building and socio-economic progress. Adopted in this sense, development is only about reformation and transformation for constant positive change in the lifestyle in all facets of a country.

3.9 Development Administration and Administration of Development

Issue of development is well centred on a physical reality and a state of mind. However, to fully comprehend the idea of development administration in this segment, we decided to discuss development administration and administration of administration separately.

3.9.1 Development Administration

The unsettled definitional challenges of development have led to the definition problems of development administration. Even, before the concept came to focus through the work of Weidner (1962) titled "Development Administration: A new focus of Research," an Indian scholar called Usha Claire Goswami first coined the concept in 1955 to differentiate the administrative system required by those developing nations with orientation of traditional administrative system. For Weidner (1962), development administration is about the carrying out of planned changes in the economy in a positive direction. It involves the aspect of agriculture, commerce and industry, or in the human and capital infrastructure supports as well as in the social services of the country

focusing on security, health, and education in order to maintain a vibrant and functional nation.

Fainsod (1963) described it as carrier of innovating values. This connotes array of new functions, which is preoccupied by developing nations treading on the path of modernisation and industrialisation. Also, it is concerned with the planning and implementing activities by governmental agencies to secure socio-economic and human capital growth as well as mobilising and allocating resources to expand the frontier of national income system and to properly implement them. Stone and Stone (1976) maintained that it focused on goals, values, and strategies of change via commitment process in implementation process of a plan, policy, programme, and project for attaining national development. From the above, development administration is from the angle of integrated nation-building.

Contributing, Montgomery (1966) said it revolved round execution of policy development programmes and projects to improve all the facets of any political system. Esman (1972) described it as the core role of governmental administration, which includes guiding and managing the inter-related processes of nation-building, economic growth and societal changes towards a positive direction. To Riggs (1971), it focuses on administration of programmes; the methods and resources used by government to carry it out for the reality of a nation's progress. The definitions presented the concept of development administration in the perspective of administration of development programme.

According to Gant (1979), development administration is the aspect of public administration that focuses on the organisation of public agencies to arouse specific programmes of political, economic cultural, social and economic progress and tangible transformation. Idode (1989) maintained that development administration seeks ways of improving the performance of public administration and its personnel through reforms, training, and the injection of new administrative techniques for better output. As

defined above, development administration is a paradigm for strengthening the capacity of public administration.

3.9.2 Administration of Development

Riggs (1971) saw development of administration as administration of development. From this claim, it will be out of place to say there is improved administration of development in any environment where people suffocate from insecurity, underemployment, underemployment, deprivation, inequality, corruption, and poor infrastructural facilities. Or will be justified to claim development in country that poor human capital building, and pitiable living conditions or rate of poverty are continually worrisome. In other words, suitable policies programmes need to be initiated in a large scale and their implementation efforts have to be strengthened for optimal output.

Montgomery (1966) defined administration of development as a process, which is related to the procedures used for increasing efficiency and effective utilisation of available resources meant to achieve developmental goals. This implies a change that makes the administrative system more efficient, more effective, more streamline, more innovative, or more willing to carry out improve administrative projects or programmes for development. The underline fact behind administration of development is the building and reinforcing public administration system for a more purposeful, functional, efficient, and effective result orientation.

From the foregoing, the hub of administration of development rests on the growing efforts of every administrative system to build and improve possess, which will spur the required administrative effectiveness, efficiency in public institutions. It is a continuous effort to work towards increasing capability to improve stances on response to public demands. Besides, it is a process of increasing administrative capacity to make fantastic decision for translating policy programmes into tangible response to the ever increasing public demands coming from every direction of environment of political, economic, cultural, and social trends of the polity. In fact, it

is a process that is tied to modernisation of the administrative processes and structures, innovation spirit, and nurturing high motivational climate, effective integration and positive attitudinal or behavioural changes among the administrators (Ujo, 2015).

3.10 Social Problem and Poverty

The issue of social problem and poverty is related. Adopted in this sense, it is our view that the inability of government to limit opportunities for social problem breeds poverty. However, in order to appreciate the interplay between two concepts much better, we choose to discuss them discretely.

3.10.1 Social Problem

The concept of social problem is complex and difficult to define in a single sentence. But, in line with this paper, we narrow discussions to those consider useful to this paper. Akosile and Faseyiku (2001) defined it as any behaviour exhibited by the people in a society, which is either considered indecent or morally disgusting and harmful to public peace. Hence, it requires social control to restore public peace. Idada (2018) maintained that social problem is a public problem. It is associated with social need, deprivation or dissatisfaction, which have affected mass majority. It demands government response and collective action.

Emefiele (1994) described social problem as behaviour that is regarded by the mass majority as social disorder. It is unacceptable norm. Social problem manifests in different forms. Some of them are destitution, unemployment, ethnicity, religious intolerance, banditry, kidnapping, boko haram terrorism, Fulani herdsmen killer squad, ritual killing, prostitution, examination malpractice, illiteracy, health and starvation issues, corruption, vote-buying, political killings, manipulation of electoral processes, injustice, human rights violation and abuse of power. Viewing from the context, social problem is a general problem. It is associated with poor capacity of administration of development inflicting wild status of destitution and insecurity.

3.10.2 Poverty

Like other concepts, poverty has no one-fit for all definition. What we have done in this part was to clarify it in a manner that suits the objectives of this paper. Adeoye and Matilukuro (2005) considered poverty as inadequate income to purchase the necessities of life. Adopted in this form, poverty has to do with a poor status of socio-economic conditions. Also, it is concerned with a state of mind and condition in which an individual feels helpless and unable to cope. However, poverty is essentially associated with deprivation. From this perspective, poverty is regarded as involuntary deprivation in which a person, a household, a community, or a nation is subjected. Thus, among others, includes political, economic, social, cultural, and environmental deprivation.

The traditional narrative saw poverty as a situation where mass majority of households cannot meet their basic physiological needs such food, clothing, and shelter in a country. It is perceived as a denial of development, security, welfare that adversely associated with the on-going socio-economic disorder in Nigeria (Akosile and Faseyiku, 2001). But, Emefele (1994:41) looked at it from absolute and relative point of view. To him, it is a situation of an absolute poverty. Under this situation, people can hardly afford three-square meals in a day. Hence, they are forced to “go on 101, 011 or 110,” meaning that “you eat breakfast or lunch, then dinner; or worst still, no breakfast and you only have lunch and dinner or super.” Secondly, Emefele defined a relative poverty as a situation when people compare themselves with another in terms of what they have. In other words, “when people felt deprived of what other people have for example, some rich people have different cars, while some other people do not have more than one. Some have houses or estates while some have one or two.” The issue raised is, are people unable to cope because they are poor? Or are people poor because they are unable to cope?

4. Implementing Development Policy Programmes

Implementation refers to the process of turning development policy programmes or projects into reality. Without implementation of development policies or programmes, the strides for any country to achieve growth and substantial improvement will be difficult. The need for development administration emphasised the conscious application of policies, projects and programmes to transform the country for common good (Diamant, 1970). Since the focus of development administration is to inspire growth and transformation process through development policy project or programme execution, the institutionalisation of mechanism for administrative control to secure probity, transparency, and accountability has been a tropical issue. Apart from being guided to be resourceful, the administrators will have the organisational ability; a better sense of punctuality; a greater concern for planning; efficiency and tendency to attempt new ideals; have faith in science and technology; and work towards public interest rather than their personal interests (Esman, 1972).

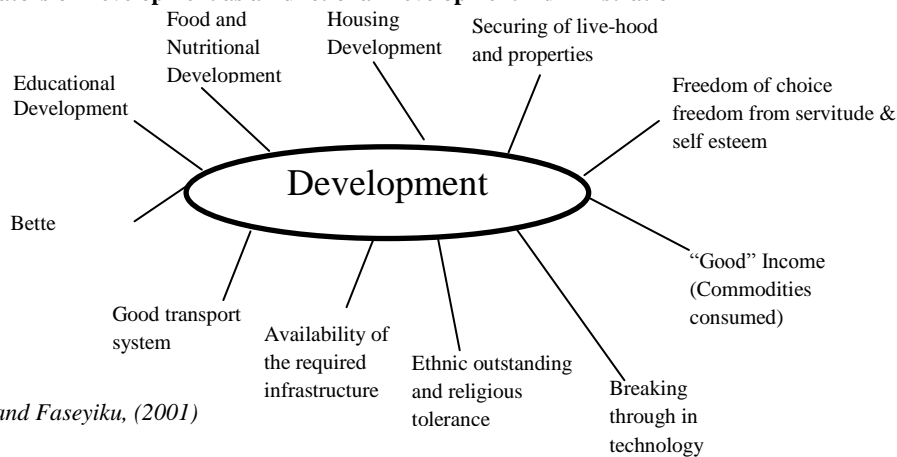
As it were, extant literature on development policy programmes initiated and administered are yet to address the shackle of socio-economic soreness in Nigeria. They are very many. Some notable of them are the Nigerian National Development Plans (NDP) 1st to 6^t; Poverty Alleviation Programme (PAP); National Poverty Eradication Programme (NAPEP); National Directorate of Employment (NDE); Family Economic Advancement Programme (FEAP); National Economic Empowerment and Development Strategy (NEEDS); Better Life Programme (BLP); Directorate of Food, Roads and Rural Infrastructure (DFRRI); National Agricultural Land Development Authority (NALDA); Community Bank; Federal Urban Mass Transit Programme (FUMTP); People’s Bank of Nigeria; National Conference of 2014; electoral reforms, local government reforms, civil service reforms, police reforms, health and educational reforms and others related programmes set to improve the status of poor living conditions in Nigeria. But, the question is what has become of the outcome? Why has unemployment and poverty widening on daily basis in Nigeria?

5. Effects of Administrative Law on Development Administration in Nigeria

As a law of public administration, administrative law regulates actions, functions, and powers of public administration and its associate units in order to keep them within the confine of the law. It does these, to make government service appreciative, reliable, as well as radically reduce chance for self-service, corruptive tendencies or dissident disposition and shenanigans of most public administrators. When there is no law, people without self-discipline will be tempted do what they like. If this is allowed in Nigeria public service, public resources will be squandered while public interest would be short-changed for personal gain.

The dawn of new socio-political forces across the world brought the pressing demands upon the nation state to have leadership with enthusiasm to improve standards of living conditions. Hence, it becomes obligatory for the nation state began to show concern and participate in all issues relating to welfare and development of the people. In order for the Nigerian public administration to cope with the new trend, development administration emerged to examine the critical questions on why Nigeria experiences underdevelopment. What factors bring accelerated development in Nigeria? What specific policies and strategies needed to be engaged with to achieve the development objective of Nigeria? The diagram 1 below is used to demonstrate the expected character of a nation state with functional development administration through the watches of administrative law.

Diagram 1: Indicators of Development as a Functional Development Administration



Sources: Akosile and Faseyiku, (2001)

The understanding of the above diagram is that development can only takes place when all or substantial of these goals continuously experience growth without adversely affecting each other. The above diagram emphatically showed a very depressing and agonising status development in Nigerian state. Hence, the administrative law on development administration has not been effective. The opinion of Seer (1973) that development can only be felt when questions relating to what has become of poverty, insecurity, inequality, unemployment, hunger, underemployment, illiteracy, and health threats among others are

adequately and constructively answered tends to have been well supported by the diagram.

Since the answers to the above questions have direct effects on identification, initiation, and implementation of several development policies, structural units, programmes, and projects targeted at largely ensuring development indices at all the facets, experience showed that the Nigerian state lack almost the socio-economic indicators for a functional development administration. As such, the impact of administrative law in ensuring the institutionalisation of culture of compliance, accountability, commitment, and transparency of

development administrative agencies and development administrators to be in a better position to translate the objectives of steady growth and progress of the Nigerian state into concrete reality is yet to meet expectation and raising some fundamental questions.

First is the manner in which the Nigerian state has suddenly become the poverty capital of the world (Akinkuotu, 2018). Corroborating, Egwuatu (2020:19) aptly documented the reports of the Nigeria Employers Consultative Association (NECA) saying that “the number of citizens in extreme poverty in 2020 now stands at 102m representing 50% of Nigeria estimated population of 205m as against the 40% reported by NBS in October, 2019.” Funny enough, as the rate of unemployment, underemployment, low income, deprivation, and destitution continue to worsen, the insensitiveness of political leaders to provide responsible governance failed to improve; but, corruption, human rights abuse, disobedience to administrative rules, and exercise of abuse of powers in Nigerian public service among others are increasing on daily basis.

The level of insecurity in Nigeria has continued to grow into incurable sore. The boko haram terrorism, which appeared to have started in North-eastern Nigeria; there is no part of Nigeria that is not affected by threats of the Islamic terrorist sect. Also, the Fulani herdsmen are yet to relax their terror against innocent Nigerians. Beyond all these, kidnapping for ransom, armed robbery, rape, ritual killings, political violence, ethnic clashes, and other banditries have all threatened the internal security architecture in Nigeria. This is not unconnected with what Adamolekun alleged in Ajaja (2020) as poor capacity of administrative law and failure of Nigerian public service caused by disinclination of the Nigerian political leaders to govern.

Very excruciating is also the shortage of basic infrastructure such as water, electricity, food, shelter, road as well as poor health and educational services just to mention few. What is difficult to understand is what has become of the inability of the aforementioned public institutions to be functional? Where does the

allocation (money) to each of them go? Is there no solution to the performance issue of these essential Nigerian public sectors? Would there be effective and efficient effects of administrative law on development administration with prolonged shortage of basic infrastructures in Nigeria? Of how long will Nigerians continue to be deprived from enjoying basic amenities?

The status of low development in the present Nigerian state is inconsistent with the indicators of development as revealed in the above diagram. Government responses and engagements to public demands appeared to be unfamiliar to the contemporary socio-economics forces of modern governance where socio-economic destruction through the vices of anti-people governance process; instigating governance crisis via political overzealousness, corruption, stealing, looting of public treasury, nepotism, poor performance, recklessness, insensitiveness of government administrators; selfish and despotic tactics of political leaders to issues of public interest are not tolerated. Babalola (2011) maintained that abysmal functioning of the Public Complaints Commission (PCC), the Code of Conduct Bureau (CCB), and the Code of Conduct Tribunal (CCT) in Nigeria led to the establishments of the Independent Corrupt Practices and Related Offences Commission (ICPC) and the Economic and Financial Crimes Commissions (EFCC), which are also yet to do better.

The integrity and relevance of government become doubtful when the socio-economic or basic needs of people are being short-changed. Somehow, people get confused why some erring government officials who aromatically flout public service rules are not being sanctioned. The recent “#ENDSARS” protest organised by the Nigerian Youths buttressed the above claim. As noted, the “#ENDSARS” saga was an alleged expression of long dissatisfaction of abuse of power, extortion, impunity, extra-judicial killing, brutality, and other unethical behaviours of most government agents; especially the men and officers of the Special Anti-Robbery Squad (SARS) unit of the Nigeria police force. As it were, the police administrator

has disbanded at different times in 2017, 2018, and 2019 in response to public complaints. Sadly, the alleged banned may have suffered implementation while the anti-service allegation of extra-judicial killings and brutality by most of the operatives continue to increase monumentally.

From the knowledge of the above diagram, the missing point has been of what becomes the manner in which most of Nigerian public administrators decided to pay less attention to production of Nigerian basic needs? Development polices, programmes and projects are being abandoned for political reasons. Monies budgeted for development activities are being diverted to pursue personal interest. And goods procured for palliative with monies allocated to improve the lockdown effect of corona-virus on members of the public pandemic public are being allegedly confiscated and hoarded by most of the top government officials to celebrate birthday and to advance their political ambition. However, the administrative rules designed to engender government performance and sanction erring government officials and appeared to be left in abeyance. Apart from the general public service rules, there are specific rules such as executive order, circular, operational order, financial regulations, and due process rules and accountability procedures that will facilitate provisions of good order, basic amenities and the instinct of transformation agilities which of development administration.

Like other government agencies, the Nigeria police force has enough rules and procedures which if properly enforced would guarantee their optimal efficiency. For example, elaborate types and methods of training, operational engagement, and disciplinary procedures are well documented in police regulations. Besides, it itemised and defined the disciplinary offences in which any erring member of the Nigeria police force would be sanctioned. The offences are many. Some of them include the misuse of firearm, incivility to members of the public, dereliction of duty, inability to prevent crime, assault on members of the public, improper dressing, dirty in person, illegal duty, extortion,

bribery and corruption among others (Police Act and Regulations, 2004, as Amended).

In addition, the police regulations set a commensurate punishment, which varies from minor entry, major entry, major entry with warning notice, reprimand, and severe reprimand to reduction in rank, suspension, interdiction, dismissal, or dismissed from the force and to be arrested and charged to court. The police disciplinary structure is in twofold. One is at the level of senior police officer (SPO).

At this level, the alleged defaulter is investigated through issuance of administrative query. Thereafter, the officer is arranged to be tried by the Force Disciplinary Committee Board (FDCB). Memberships of the FDCB comprise every serving Deputy Inspector General of Police (DIGP) and the Assistant Inspector General of Police (AIGP) in-charge of the Force Secretary is the Secretary. The power of the FDCB is to conduct trial of the defaulter and on basis of their findings, award appropriate punishment and forward the outcome of the trial to the Police Service Commission (PSC) for review and confirmation. The second disciplinary structure is for Inspectors and Rank and Files. It is superintended by the Provost Unit. They are defaulted and charged to orderly-room for trial by any delegated officer (DO) who must be an SPO of a reputable status. The award punishment or the outcome of the trial is forwarded to a Commissioner of Police for review (Police Act and Regulations 2004 as Amended). Beyond all these, there are Police Council, Police Service Commission, Senate Police Committee, and House of Representatives Police Committee having critical oversight roles to make the Nigeria police force function properly and responsibly in the production of internal security and public peace. But, what has become of the non-working nature of government structures in Nigeria?

6. The Administrative Law Challenges and Implications for Development Administration in Nigeria

The various challenges confronting the effectiveness of administrative law in enhancing the functionality of the Nigerian development

administration will be better understood from the angle of weakness of the Nigerian state. Predominantly, the people hoped for welfare and security as well as equal opportunity. As an instrument for governing the Nigerian state, the government has fiat to make and enforce law in such a manner that can enhance equity, good order, justice, good governance, and general development of the people. Hence, the people elected political leaders who represent them to pilot the affairs of the nation while serving them through various capacities in government.

However, rather than being driven by the interest of the mass majority occasioned by the new socio-economic forces, Nigerians who are elected to govern, decided to turn the character of the nation state into where a petty bourgeois of politician, security officer, bureaucrat, and business executive monopolises the control and exercise of the state power. Since the country is now used to function as instrument that serves and protects largely the interest of the few elites, Nigeria has no leaders but dealers who are only interested working for their own pockets. So, there is no gainsaying the fact that the Nigerian state at the moment gravely lacked political leaders with conscience and zeal to make administrative law actively function in a manner that could enhance development administration.

The present status of extreme poverty in which the Nigerian mass majority live has a very serious grave implication for administrative law to function in order to improve development administration. According to Akinkuotu (2018:7), "Nigeria has suddenly become the poverty capital of the world." Egwuatu (2020:19) vividly documented the Nigeria Employers Consultative Association (NECA) reports that: "the number of Nigerian citizens living in extreme poverty in 2020 now stands at 102m representing 50% estimated population of 205m as against the 40% reported by NBS in October, 2019." In a country that people struggle to live between hands and mounts, there is always breakdown of rules while impunity, brutality, and corruption rampant. Hence, it is not difficult to see politicians offering a plate of rice and a sachet of pure water to buy vote from vast Nigerians who are embattled with hunger.

How will administrative law improve development administration in a country where the ruling elites only pursue stomach infrastructure instead of mental and socio-economic development?

The challenge of social maladies is another militating factor against the administrative law to get development administration to be effective. In Nigeria, it has been very difficult to live without fear of threats of criminals such as armed robbers, political murderers, kidnappers, cultist, boko haram Islamic sects, Fulani herdsmen killers, money-ritual, child-stealing, and political thugs. Worst still, women are now facing threats of rape, defilement more than ever before just to mention few of them. The truth of the matter is that a country that allows for prolong insecurity is fast drumming for anarchy where lawlessness thrive and development suffers (Babalola, 2011).

Poor responses of government to public demands in Nigeria equally have serious adverse implication for inability of administrative law control development administration to be effective. This is buttressed in Okolie and Ezirim (2020:2) that the "#ENDSARS" protests are products of long years of poor governance, marginalisation, marginality, poverty, insecurity, alienation, exclusion, corruption, impunity, poverty, lack of transparency/accountability, and failure of the Nigerian ruling political class to live up to its constitutional responsibilities. As a matter of fact, majority of the protesters are convinced that the capacity of the Nigerian state to deliver public goods has deteriorated beyond reason. The five items listed by the protesters are glaring precludes that which instigated similar past cases of disintegration and balkanisation in countries like the Yugoslavia and Czechoslovakia among others. How will administrative law controls development administration when a political leader is working for self-service? Will possible for administrative law to regulate development administration in a country where political leaders kill political rivals and do all manners of shenanigans just to occupy and remain in power?

The inability of the ruling class to pay genuine attention in solving the worrisome welfare and

security challenges has grave repercussion on the control powers of administrative law to make development administration effective in Nigeria. Most of the political leaders are still unwilling to change the status quo of constituting reform panel in Nigerian public institutions without implementation of the outcome. The recommendations of the 2006, 2008, and 2012 the presidential panel on police reform carried out by Obasanjo, late Yar'Adua, and Jonathan administration were not implemented. Also, the first Nigeria Police Reform World Submit held in October, 2015 to reform submitted recommendations to Buhari administration and no implementation like others (Hills, 2012). How can the impunity of most of the public officials be tamed when the recommendations of the public institution reforms are not implemented? What is the usefulness for setting up reform panel when government would not implement the recommendations?

The effect of governance crisis in Nigeria and failure of most Nigerians to withdraw support from political leaders with self-centred and stomach infrastructure agenda has negative implication for administrative law functions in making development administration to be efficient. The crisis of governance is set when political leaders decided to use state powers and resources to their personal interest. In other words, the consequences of governance crisis are much. Among them are serious security threats, high level of political corruption; chain of poverty and hardship; poor leadership, electoral malpractices, dearth of basic infrastructure, political killing, human rights abuse, abuse of law, unemployment, brutality, impunity, breakdown of law and order; reigns of confusion, frustration and pollution of environment. In all these, the functions of administrative law are influenced by political interest at the expense of productivity of public service. Where leadership failed to be accountable to the electorates, impunity reigns and the struggle to occupy public office is conducted in a 'do or die' manner. The impunity become more agonistic when the mass majority choose to lend support for such leaders while remain in perpetual suffering and smiling. Hence, the capacity of leadership to grow and

maintain socio-economic development ingredients is further weakened.

7. Conclusion and the Step Forward

The interface between administrative law and development administration in Nigeria was evaluated in this paper. This was done to determine the effect of administrative law on development administration in the Nigerian state. Drawing from the reality of the new socio-political forces to enhance comprehensive welfare service to citizenry consequently expanded the scope and function of public administration; hence, development administration as an aspect of public administration is designed to strengthen its capacity and workings in translating the various welfare policy frameworks of the Nigerian state into reality through the control functions of administrative law.

However, recent experience of development administration in Nigeria showed an unpleasant story. This country has continued to bleed from the excessive shackle of governance crisis occasioned by the grave insensitiveness of the Nigerian political leaders. Rather than using the power and resources of the state to assiduously work to maintain a first world class public service, which will enhance the quality of service delivery required to build a true socio-economic growth and development for a better Nigerian state, the political leaders exercise the powers and resources of the country more for their personal interest. This in turn, has deeply drenched the Nigerian state with torrential water of poverty, insecurity, low status of living standard and all manners of socio-economic, political, cultural and administrative threats. But, while Nigeria is being referred to as poverty capital of the world; political corruption and syphoning of public treasuries by public leaders still increase daily. This ugly situation seem to have been undermined as the political leaders are still paying more attention for enriching themselves by allocating bogus salaries and assorted allowances to themselves in a country that most of the state governments are collecting bailout funds and still crying for paucity of funds to pay just a #30,000 minimum wage to

public servants. Worst still, is the manner in which the innocent Nigerian youths who are overtime suffering from the surge of unemployment; poor government engagement to governance crisis; failure of the political leaders to respect the rule of law and to always redeem their campaign promises; the bossy extortion, impunity and brutality of government officials were manhandled and killed in their numbers by government security agents while on a lawful peaceful protests to demand for good governance and responsible government in Nigeria (Akpotor, 2015).

The paper found the functions of administrative law adequate for development administration to be effective in building socio-economic growth in Nigeria. It has the regulatory ability for development administration to implement the 'all-round' policies, projects, and programmes that could bring positive changes and grow the basic infrastructural development needed to transform the Nigerian state. In fact, administrative law is identified as a workable instrument for development administration to achieve the bureaucratic role of implementing the Nigerian plans for socio-economic development transformation agenda for better Nigeria. Therefore, the paper concluded that the effect of administrative law on development administration in Nigeria has not been good enough due to unsuitable political environment created by the Nigerian political leaders who utilise the powers and resources of the Nigerian state for their personal interest.

Based on the conclusion of this paper, the step forward is very unpretentious. The first and foremost is for Nigeria to have a very responsible government. To achieve this, Nigerians should vote for political leaders with interest and ability to work for Nigerians; respect rule of law; develop implementable policy to turnaround the socio-economic crunch, political conflagration and other social problems fretting the country. Also, Nigerians should withdraw support from political dealers and vote for political leaders will not utilise the state powers and resources for their selfish interest. Other Nigerians should support the youths to press for good governance. The Nigerian youth

should not allow any reckless or self-centred politician to use them for political thugs. Nigerians should be encouraged to come out on Election Day and use their voting rights to vote for political leaders that will promote a responsible government and work for good governance.

There should be a rebirth of bureaucratic and re-strengthening of the present Nigerian public service to become a world class public service. To do this, there should be focused on technology to develop essential ingredients that necessary to build positive human capital resources to transform the Nigerian state. In this, Nigerians should utilise the lessons learnt from the corona-virus pandemic (COVID-19) to press on political leaders to maintain their lanes. The political leaders should stay in Nigeria; work for Nigeria; develop Nigeria; and rebuild the Nigerian weak institutions. Beyond this, the Nigerian ruling class should urgently commence the rebuilding the country's socio-economic, political, cultural, and administrative sectors to maintain self-reliance and self-sustaining Nigerian state. Also, Nigerians should press on the political leaders to implement public service reforms and change from the status quo of constituting ritual reforms.

Where there is no law, social justice, equity, and political good order are short-changed. When there is no responsible political leaders, corruption, abuse of law, insecurity, poverty, unemployment, underemployment, and all manners social problems and destitutions are being patronised. This is even worst, when political leaders concern themselves with selfish agenda of stomach infrastructure. Nigerians should withdraw support from people with who have no orientation for mental and technical development to transform the Nigerian state. The effect of administrative law on Nigerian development administration will be effective when the Nigerian public institutions are strengthened and the Nigerian political rulers no longer use the state powers and resources for their personal gain.

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