BRIDGING THE GAP BETWEEN NON-STATE ACTORS AND THE STATE IN GOVERNANCE: EVIDENCE FROM NIGERIA

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Abstract

This paper deals essentially with how to facilitate and mainstream voices of Non-State Actors (NSAs) particularly, Civil Society Organizationsø (CSOs) in public policy process in Nigeria. Using library retrieval technique, the paper argues that the state and NSAs have different but coordinate roles to play within the limit allowed by law in terms of delivering to their citizenry the goods and services they need to live a meaningful life. Thus, all that is required is for both parties to realize their complementary roles and mutually reinforcing character. The paper concludes by suggesting ways of strengthening State-NSAs relationship in Nigeria.

Key words: The State, Non-State Actors, Public Policy Process and Partnership

Introduction

Nigeria is a very rich country with huge potentials. Undoubtedly, if her human and natural resources were properly exploited and managed it would have been one of the 20 leading economies in the world. Given her enormous potentials, most economists and development scholars are amazed with Nigeriaø current rating in the world. Nigeria is the largest oil producer in Africa and the seventh largest in the world, with estimated oil reserves of about 36.2 billion barrels and with the continuing discovery of new oil wells, the reserves are likely to rise to about 40 billion barrels. Its oil and gas wealth contributes 99% of export revenues, 78 % of government revenues and 38.8% of GDP. Other sectorsø contributions to GDP in 2006 were agriculture (32.5%), wholesale and retail (13.3%), industry excluding petroleum (2.9%) and other sectors (1.5%), (see the Central Bank of Nigeria 2006 Report).

However, given her massive oil and gas resources, one would have thought that her leaders should have been able to build a robust economy and provide the citizens with the basic social and physical infrastructures and services to live a decent life. Unfortunately, available records and statistics show that Nigeria ranks among the poorest countries of the world (see World Bank 2007 Report).

Several studies have attributed Nigeriaø situation to erratic and distorted policies, unbridled corruption, inept public service and poor leadership at all levels of governance (see the 2009 Report of the National Technical Working Group, NTWG, of Nigeria Vision 20 2020 Economic Blueprint). This has left the country with high incidences of poverty, high unemployment rates, poor infrastructure facilities, low growth rates and widespread insecurity and crime despite the abundance of rich natural resources (APRM Country Review Report No. 8, May 2008 and NTWG 2009 Report).

In fact, several key international agencies have also provided indices to show how Nigeria has deteriorated in the last two decades. Among others, is the Human Development Index (HDI) of the United Nations Development Programme (UNDP) that ranked Nigeria

158th over 177. That means Nigeria belongs to the lowest level of the HDI. The Global Competitiveness Index (GCI Report 2007) shows that Nigeria's economy is characterized by weak and deteriorating institutions (ranked 103rd, down from 87th in 2006) - including a serious security problem (123rd) - poor assessments for its infrastructures (119th), as well as basic health and education (124th).

Therefore, despite its bounteous resources and oil wealth, poverty is widespread in Nigeria. Over 70 per cent of its population is classified poor, with 35 per cent living in absolute poverty. Poverty is especially severe in rural areas, where social services and infrastructures are limited or non-existent (Central Bank of Nigeria 2005 Report).

Against this backdrop, successive governments introduced several policies and programmes aimed at tackling these problems. At the national level, to mention the most recent ones, the Obasanjo led administration (1999-2007) introduced the National Economic Empowerment and Development Strategy (NEEDS) aimed at accelerating economic growth, reducing poverty and achieving the Millennium Development Goals (MDGs). NEEDS has been further consolidated by the late Yar'Adua led administration through the introduction of a Seven-Poisnt Agenda for Nigeria's development in the context of a broader vision, namely, to position the country as one of the 20th most developed economies globally by the year 2020.

At the international level, Nigeria has adopted the Millennium Development Goals (MDGs) and committed itself to its achievements by 2015. Although, the federal government has shifted this date to 2020, development partners like the UNDP, the European Union, (EU), DFID, and many others have also lent their support to Nigeria by mobilizing NSAs and, most especially CSOs towards the achievement of the MDGs. These agencies have given NSAs, particularly, CSOs an enhanced role in governance. In fact, the general thinking among the development partners is that the successes of development policies/programmes depend on the capacity of the government to manage tailored policies and programmes and expanding the frontiers of policy making by involving NSAs and CSOs in the policy process.

In Nigeria, state and non-state actors' partnership as a vehicle for delivering development is not properly institutionalized. Thus, this paper examines NSAs-state relations in the public policy spectrum.

Conceptualizing CSOs or NSAs

The concept, civil society, precedes the Treaty of Westphalia and the birth of sovereign states system. Therefore, it is not a twenty-century phenomenon. There is also no consensus among leading scholars of the field on the meaning of civil society. However, there is a general understanding of what the concept civil society illuminates in the post-modern literatures (Giddens, 2000; World Bank, 2005; Edwards, 2004; Almond and Verba, 1989; Kukah, 1999; Uche, 2007).

In recent times, some scholars have associated the concept more with democracy and representative government (Almond and Verba, 1989 and Putnam, 1994). Some studies associate it with critics and activists for and against globalization and as a critical component in the development process, especially in developing economies.

There is a seeming concern however, that the concept keeps changing in degree and form, from pre-historical to post-modern society but without losing its substance. This also explains why there are plethora definitions of civil society in the post-modern sense.

Nevertheless, the most often-quoted definition is the working definition of the London School of Economics, Centre for civil society, which states that:

> Civil society refers to the arena of uncoerced collective action around shared interests, purposes and values. In theory, its institutional forms are distinct from the state, family and market, though in practice, the boundaries between states, civil society, family and market are often complex, blurred and negotiated. Civil society commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy and power. Civil societies are often populated by organizations such as registered charities, development non-governmental organizations, community groups, womenøs organizations, faith-based organizations, professional associations, trade unions, self-help groups, social movements, business associations, coalitions and advocacy groups.

The comprehensive nature of this definition explains why civil-society scholars in both developed and developing countries derive their instrumentality from it.

On the other hand, the concept NSAs is relatively new within the parlance of civil society organizations or non-governmental organizations. The term NSA emerged from the 2000 Cotonou Agreement as it tries to expand the scope of coverage of definitions of CSOs and NGOs. In short, the term is now an umbrella word for all the associations and groups within the rubric of what we refer to as CSOs or NGOs that seek to influence governmental policy for the benefit of the common good of the society. This they do through advocacy, capacity building and service delivery. Consequently, in this study, we would use CSOs and NSAs interchangeable for purpose of clarity.

Theoretical Supposition

There are two dominant models on õhealthyö societies in extant literature, namely, the traditional government model and the new governance model. The traditional model emphasizes the central role of government and its institutions in the planning and implementation of public policies. This is fundamentally different from the new governance model that emerged from the increasing interaction, negotiation and partnership between government, private and non-state actors. The latter, emphasizes the interdependence between the state, private and non-state actors, while the former de-emphasis such interdependence, instead, the dominant role of the state is emphasized.

These models are graphically represented as follows:

**Traditional**   **Governance**
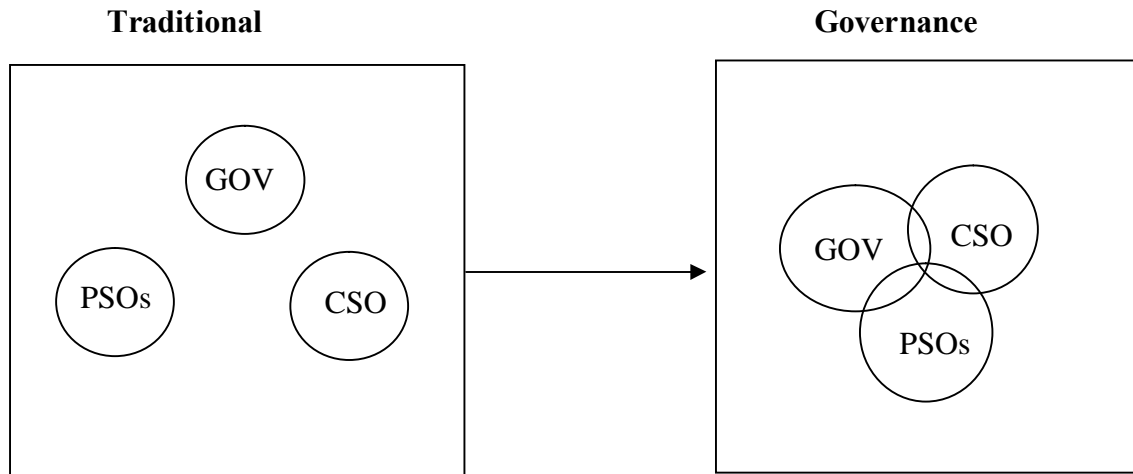
Globally, states that are making meaningful progress economically, socially and politically are built around the governance model. The model recognizes the exchange of ideas, resources and responsibilities between the state, private sector and non-state actors. It also acknowledges their necessities and complementary roles in achieving the common good for the society. This explains why the model gives private sector and non-state actors an enhanced role in the policy process, whereas the traditional model does not. It also promotes their interdependencies.

The governance model is widely embraced across the globe. This suggests a paradigm shift from the traditional model to the governance model. In both developed and developing countries, this paradigm shift is becoming obvious, even among international organizations and development partners. The European Union (EU), the World Bank and other development partners in line with the paradigm shift are giving non-state actors, in particular, civil society organizations in developing countries an enhanced role in the development process (see the World Bank, March 2005).

Nigeria has also embraced the public-private partnership paradigm. However, in practice, what seems obvious is more of a two-legged stool rather than a three-legged stool emphasized by the governance model. In Nigeria, government at all levels seems to collaborate more with the private sector than with NSAs, especially, CSOs. Even at that, because of the mistrust the private sector has for the government the relationship is not institutionalized. This is mainly due to frequent changes of public policy and the lack of respect for contractual obligation on the part of government.

There is also no concrete relationship between the private sector and CSOs. The private sector is usually not predisposed to collaborate with CSOs on matter of public policies for fear of backlash on the part of government. Thus, state, private sector and NSAs partnership is not very solid as illuminated by the governance model. What we have now is a process that is fluid. In fact, Nigeria is oscillating between the traditional and governance models. However, during the second term of Obasanjoøs administration, it began to evolve its own pattern of public-private partnership. Graphically, this is illustrated as follows:

Current Nigerian
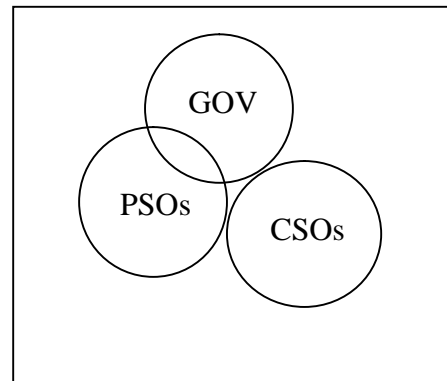
In the existing Nigerian model, there seem to be some kind of interactions and collaborations between the state, private sector and NSAs. However, the interaction and relationship between the state and NSAs is not as obvious as the one between the state and the private sector. Similarly, the partnership between the private sector and NSAs is also not obvious. Thus, Nigeria is yet to transit fully to the governance model as depicted in the second figure above. To assist Nigeria in this transition is the gap this study intends to fill.

Non-State Actors and the Nigerian State

In Nigeria, the history of CSOs precedes NGOs, as we know them today. In fact, Nigeria is replete with evidences of an array of citizensø groups that include trade union, women and youth groups, community-based organizations and ordinary citizens who were active in the public sphere. The Aba women agitation of 1929, the Zikist Movement of 1934 and the   Trade Union strike of 1948 are ample evidence of citizensø participation and activism to influence public policy in colonial Nigeria.

During the colonial era, citizensø groups or CSOs were the vanguard of the struggle for Independence. Although, most of them started out as cultural-based organizations, they soon transformed into political parties and became very active in the de-colonization process. Consequently, because of their activism the colonial government was very suspicions of CSOs and regarded them as anti-government and unpatriotic elements. This explains why they deliberately excluded them from the policy process. Moreover, this was in line with the neo-liberal paradigm view of CSOs that most colonialists were inclined. Therefore, citizensø groups or CSOs in the neo-liberal sense are not entirely new to the Nigerian political landscape. However, NGOs as we know them today are a post-colonial phenomenon, which emerged in the late 1980s.

This neo-liberal obscurantist point of view became an =officialø state policy in post-colonial Nigeria, especially during the cumulative 35 years of military rule. This coincided with the emergence and spread of NGOs, particularly, during the campaign against the military regimes of Ibrahim Babagida and Sani Abacha.

 It is important to note that Nigerians founded and funded most CSOs in colonial Nigeria themselves; whereas most NGOs that emerged in 1980s to engage the military were externally provoked and funded by international donors or collaborators. This explains why the military increasingly alienated and emasculated them from the public policy process. They considered

CSOs and NGOs as intruders and enemies of government. Interestingly, it was during the military era that CSOs and NGOs flourished in both reach and influence. They played a significant role in chasing the military out of power in 1999, and returned Nigeria to the comity of democratic nations.

The return to democratic government in 1999 led to further proliferations of NSAs in the country. However, this did not pave the way for productive partnership between the government and NSAs. In spite of the contribution of the latter to the restoration of democratic rule in the country, mutual suspicion between government and NSAs did not have the expected revolutionizing effect. Rather, the politicians became more and more wary of NSAs. Efforts by members of civil society organizations in Nigeria to push for electoral reforms, improved human rights and fight against corruption made the government to consider them as an extension of the opposition.

Thus, we can describe the relationship between the state and NSAs in Nigeria as a cat and a mouse relationship. The state conscientiously does not like to share its political space with any one, not even with the opposition party, the private sector or NSAs. However, due to pressure from the international community the Obasanjo led administration (1999-2007) capitulated. The administration adopted the Extractive Industries Transparency Initiative (EITI) in 2004. Furthermore, it publicly collaborated with members of civil society groups in the country to establish the Nigerian version of the initiative.

The Nigerian Extractive Industries Transparency Initiative (NEITI) is the first platform where the state and members of civil society organizations have collaborated on policy matter from the formulation stage to the monitoring and evaluation stage. This marked a fundamental paradigm shift in state-NSAs relationship. It was also an elemental alteration in the way government think about NSAs. An indication that government has key into the current trajectory of global development process, which emphasizes the involvement of citizens groups whose lives government¢s policies and programmes affect and not by alienating them. This was very encouraging. However, since then, government at all levels of governance (federal, state and local) has not rigorously pursued the process any further.

Consequently, the systematic mainstreaming of the voices of NSAs in the way government think, act and make decisions is still very problematic in Nigeria. The subsequent section addresses how to tackle these problems.

Mainstreaming the Voices of NSAs in the Policy Process

The Special Adviser to late President Yar¢Adua on relations with civil society, Prince Chineme Ume-Ezeoke recently in an interview stressed the critical role of NSAs in national development. Appraising their inputs in the administration¢s 7-Point Agenda and the Vision 20:2020 economic blueprint; he maintained that NSAs are key to achieving the development goals of the Yar¢Adua administration. Furthermore, he noted that his office had created opportunities for better NSAs involvement in public policy formulation thereby strengthening government-NSAs engagement at all levels.

Undoubtedly, the federal government recognizes that NSAs/CSOs are important and critical in the drive to ensure the effective delivery of services by government and its agencies towards implementation of development instruments, MDGs, NEEDS, 7-point Agenda for the realization of the Vision 20:2020. However, enhancing positive engagement of NSAs in other sectors such as human rights, minority rights, electoral laws and many other issues of concern

to them certainly has not been an easy task. This has sometimes generated hostility between government and human rights groups in the country.

Consequently, to encourage a better government-NSA/CSOs relation that would in turn give NSAs enhanced role in the policy process, the government needs to prepare a comprehensive strategic action plan. This plan should clearly spell out the rules of engagement that allow NSAs have a say on all issues of concern to them about government activities and programmes.

Sequel to the proposed action plan, government needs to carry out legal and institutional reforms to enhance the capacity of NSAs/CSOs to contribute effectively to public policy. The most important legal issues confronting NSAs/CSOs in the country today is registration. The government needs to maintain a register of NSAs/CSOs in the country. As of now, there is no general NSAs/CSOs register in the country. In fact, most NSAs are not registered with the Corporate Affairs Commission (CAC), the regulatory agency saddled with that responsibility due to the bureaucratic and arbitrary registration process. Therefore, there is, need to review the registration process, make it less bureaucratic, and maintain a separate register of all kinds of CSOs operating in the country.

In developed societies, NSAs have become a social force for change in the way government thinks, acts and makes decisions that affect citizens. Their activities have tremendous impact on both national and international policies. For instance, in 2005, the activities of NSAs in the G8 countries led to either debt cancellation or relief for some African countries as part of their campaign against global poverty.

NSAs are growing in number across the globe as a force of change that seeks to put people before profit. This trend is shaping a new world order and changing the thinking of government and private sector and it is yielding results. However, it is important to note that mainstreaming the voice of NSAs in the policy process is a two-way traffic. On the one hand, the government must create an enabling environment for NSAs to flourish and participate in the policy process. This explains why NSAs are collaborating well with governments in developed Western democracies than with governments in developing non-Western democracies like Nigeria.

In Western democracies, governments cannot afford not to listen to their citizens because they know that, their citizens can vote them out in the next election. Whereas in non-Western democracies like Nigeria, citizensø votes do not count in any election, so governments can afford not to listen since they can rig themselves to power. The Nigerian 2003, and 2007 elections best demonstrate this state of affairs as the EU Report on Nigeriaøs 2007 elections confirms. Thus, if the people do not contribute in installing government through the ballot box, there is very little they can do to influence such government to formulate and implement policies in the interest of every citizen. This is the bane of politics in Africa and until NSAs with the support of governments and NSAs in Western democracies do something to checkmate such governments from emerging in Africa, enhancing the role of NSAs in governance in non-Western democracies would continue to be an optical illusion.

Most non-Western democracies are yet to experience the paradigm shift, from the traditional government model to the governance model,   due to the nature and trajectory of their politics. In Nigeria, for instance, the political space is not open to other actors in the society. The state still perceives CSOs pushing for a better deal for all the citizens as enemies of the state and so treats them with disdain. Thus, getting the government to change this

attitude and recognize NSAs as partners in development process is a huge task confronting both NSAs and development partners.

Conversely, NSAs must have the capacity and credibility to operate within the framework allowed by the government, this is the situation facing most NSAs in non-Western democracies. Some scholars have observed that national CSOs and NGOs are weak, lack internal democracy and themselves demonstrate limited transparency and accountability in their operations. This makes government collaborating with them in the policy process difficult. This explains why getting both government and NSAs to work together for the benefit of any society is a two-way traffic. However, it seems to me that in Nigeria, NSAs are ready to collaborate with government but the government is not reciprocating. The following examples would suffice, CSOs have contributed significantly to the drafting of the Electoral Reform bill, the Freedom of Information bill, the Public Financial Responsibility bill and many others that would help deliver development to the people but the government is yet to deliver on these bills. There is also need to address the reconciliation between the legitimate responsibility of central and local governments in the development process and the necessity of an enhanced participation of other development actors and the acknowledgement of their **"complementary role".** This is seriously lacking in Nigeria.

Suggestion for Effective Public Policy Making

For this purpose, we offer the following recommendations for the government:

- Government at all levels should change their perception of NSAs and begin to see them as partners in progress rather than saboteurs'. It is important to emphasis that NSAs are mainly interested in ensuring a better deal for all citizens, which is in-line with the new governance model.
- The policy process should be more open to accommodate NSAs that are ready to participate in whatever stage of the policy cycle to enhance the success of the policy. It is also important to note that NSAs are not out to challenge the legitimate responsibility of governments. Rather, they are more interested in ensuring that public policy takes into consideration the desire and interest of the voiceless majority in the society.
- Government should create synergies with NSAs taking into cognizance their ability to build capacity around issues that affect society such as Aids, women empowerment, poverty, girl child and others; given the fact that government cannot provide all that her citizens need, the complimentary role of NSAs in this direction should be encouraged.

Recommendation for NSA

- The various groups such as trade unions, professional groups, market women associations, community-based groups, faith-based organizations, human rights groups, students groups among others usually do not collaborate in pressurizing government to do the right thing on issues that affect all citizens. They all seem to pursue issues that affect them directly or indirectly rather than issues that would better the entire society. Thus, they need to forge a strong alliance among themselves to get government to listen to them.

- They need to engage more professionals, academic, community leaders and celebrities in their activities to earn the credibility that is currently lacking among CSOs in Nigeria. It seems to me that because of the financial aid and other incentives that most CSOs get from international donors and development partners they close their doors to the aforementioned groups. This makes the government feel that they do not have the manpower or repertoire of knowledge to contribute to public policy. Thus, it is important that CSOs invite more professionals to join their rank if they want their input to be included in the policy process.

- There is need also to work closely with the private sector and other profit making organizations to earn their respect and trust. This would definitely have a spillover effect on their relationship with government on issues or programmes that they are networking with the private sector. Forging a strong alliance with the private sector would also boost their credibility and encourage government to listen to them.

- Building synergies on crosscutting issues among themselves is another sure way of bridging the gap in the policy process between themselves and the state. They should establish a national framework of action that would clearly state in an unambiguous terms their policy position on development issues.

- Publishing list of their target groups and beneficiaries could enhance confidence in their operations and encourage government to allow them participate in the policy process as partners in the development process. In doing this, they should concentrate in areas that government is not paying much attention such as health, education, water among others at the grassroots.

- NSAs should submit themselves to public probity by involving external auditors in auditing their accounts and give the press a wide advantage in their activities. This includes how they select their officers and source of funding. Many critics have observed that, most national NSAs lack transparency and accountability and this seriously affects their credibility and acceptability as partners in development. Thus, national NGOs, CBOs and CSOs must work hard with the help of their external collaborators to change this perception, if they want to collaborate with government to deliver development to the citizenry.

Conclusion

We have identified that mainstreaming voices of NSAs in the policy process in both developed and developing democracies is a two-way traffic. Both the state and NSAs have different but coordinate roles to play within the limit allowed by law. Thus, all that is required is for both parties to realize their complementary roles in terms of delivering to their citizenry the goods and services they need to make life worthwhile. In the Nigerian context, we have identified the problems that are inhibiting state-NSAs partnership and we have suggested ways of improving the partnership, which will go a long way to increase the voices of NSAs in the country's public policy process.

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