Article

Strengthening civil society organizations/government partnership in Nigeria

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There is broad agreement that civil society organizations (CSOs) refer to the set of institutions and organizations that inter-phase between the state, business world, and the family. Broadly speaking, CSOs include non-governmental organizations (NGOs), private voluntary organizations (PVOs), peoples' organizations, community-based organizations (CBOs), civic clubs, trade unions, gender groups, cultural and religious groups, charities, social and sports clubs, cooperatives, environmental groups, professional associations, academia, policy institutions, consumer organizations, and the media.

MEANING OF CIVIL SOCIETY

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The common thinking is that CSOs ought to be critical of the state; compromise with the state can cause them to complement failures and sink into complacency. But being critical of the state does not always require bitter confrontation; CSOs need some working relationship and cooperation with the state and its agencies. In developing countries, like Nigeria, CSOs are more popular with donor organizations. The concern of many donors is that CSOs ought to be able to monitor public spending and make government address pressing needs of the populace. From the perspective of donors, effective CSOs are institutions and organizations that aid ‘functioning’ of government and its agencies as opposed to groups that promote excessive criticisms of state policies and programmes, and violent protests. The emphasis therefore is more on cooperation instead of confrontation.

Modern usage of the term civil society is often traced to Adam Ferguson who saw the development of a "commercial state" as a way to change the corrupt feudal order and strengthen the liberty of the individual. While Ferguson did not draw a line between the state and the society, Georg Wilhelm Friedrich Hegel, a German philosopher, made this distinction in his Element of the Philosophy of Rights. In that work, civil society (bürgerliche Gesellschaft in German) was a stage on the dialectical relationship between Hegel's perceived opposites; - the macro-community of the state and the micro-community of the family. Hegel's followers to the political left, like Karl Marx, broadly see civil society as the foundation for bourgeois society.

Western writers generally see CSOs as a description for all non-state aspects of society, expanding out of the economic rigidity of the evolving world into culture, society and politics. For instance, the London School of Economics Centre for Civil Society working definition states that:

“Civil society refers to the arena of uncoerced collective action around shared interest, purposes and values. In theory, its institutional forms are distinct from those of the state, family, and market, though in practice, the boundaries between state, 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 organisations such as registered charities, development non-governmental organisations, community groups, women's organisations, faith-based organisations,
Professional associations, trade unions, self-help groups, social, business associations, coalitions and advocacy groups”.

Modern literature generally link civil society to democracy. The link between civil society and democracy has its root in early liberal writings like those of de Tocqueville, but were developed in significant ways by 20th century theorists like Gabriel Almond and Sidney Verba. Both identified the significant role civil society can play in a democratic order. They argued that the political element of many civil society organisations facilitates better awareness and a more informed citizenry, who make better voting choices, participate in politics and hold government more accountable as a result. More recently, Robert Putnam has argued that even non-political organisations in civil society are vital for democracy. This is because they build social capital, mutual trust and shared values, which are transferred into the political sphere when help to hold society together by facilitating an understanding of the interconnectedness of society and interests within it.

Some authors, however, have questioned how democratic civil society actually is. Such authors have questioned how civil society actors have now obtained a remarkable amount of political power without anyone directly electing or appointing them. Some critics see CSOs as a reference to sources of state resistance and the domain of social institution that is capable of globalizing violence and terrorism. CSOs in this perspective are seen as acting beyond boundaries and across different territories. The general view, however, is that the globalization of CSOs, as a social phenomenon, can promote liberal values that can inevitably lead to a larger role for the people in politically derived state institutions.

**WHY GOVERNMENT/CSOS PARTNERSHIP IN THE BUDGET PROCESS IS VITAL FOR NIGERIA**

Growing global support for CSOs in budget work is currently based on the belief that people have a right to influence public choices that shape their lives; and since budgets remain the chief instrument by which governments make choices that affect the people, independent budget work by CSOs should be promoted by every legitimate means. Recognizing the importance of budgets to the lives of the poor and how CSOs can promote the development of open and participatory societies, donor agencies often encourage CSOs to engage in applied budget activities like shadow budgeting, public expenditure tracking and project monitoring. The ultimate intention, of course, is to advance pro-poor policy goals such as poverty reduction, employment generation, and participation in governance. Partnership between government and civil society groups in the budget process offers hope for a citizenry that has become so cynical and disillusioned by decades of failed development policies and unsuccessful pro-poor programmes. It also offers an opportunity to re-examine many concerns that may have been taken for granted. One of such concerns is the post military-rule thinking, particularly in government circles, that development and implementation of public policies is the business of government alone.

The experience of civil society groups world over has shown that while government must be held responsible for translating the will of the citizens into public policy, they are neither the most effective vehicles nor the sole vehicles for the delivery of development. Indeed in many cases, government may be less innovative in the social sector than active citizens-based organizations. Active participation of citizens-based groups in budget work and monitoring of public finances is, at present, among the major challenges of NEEDS/SEEDS/LEEDS in Nigeria. These groups should ensure that government budgets reflect the views of the populace, and that line ministries, institutions, departments and government corporations set attainable budget goals and take appropriate actions towards their timely attainment.

The capacity of CSOs to participate effectively and efficiently in the different stages of the budget process (that is, formulation, implementation, monitoring, appraisal, and review) however depends on a number of factors, such as:

The overall focus of CSOs and interest of their promoters: it matters what a CSO puts its attention on. The official focus may be dramatized and orchestrated to reflect populist concerns, while the ultimate goal is to achieve the personal, financial and socio-political interests of its founders/sponsors. Sometimes the subjective goals which dictate actual conduct and activities of a CSO may differ diametrically from the objective and official goals of the organization. Like in many other organizations, the goals a CSO pursues in real terms depend on the interest of its promoter(s).

Intellectual capacity and interaction within CSOs: the analytical depth and core competence of CSO members on government finances and development matters can affect how they are able to contribute to budget work. Often members of a group or organization have varying intellectual depth. It is not necessary that all members have the same level of knowledge on budget matters. But where a few individuals with the necessary competences exist, gainful in-group interaction can cause members to share mental models in ways that transform CSOs into active ‘communities of practice’, where members creatively learn from each other through interactive re-socialization.

A broad budget framework with incentives for active participation of all stakeholders: when the budget process gives incentives for participation, CSOs and other citizen-based organizations would want to compete to seek and obtain relevance. Such competitive stimulus can promote...
independent budget work in the community of civil society organizations. Incentives range from awards and recognition. But lessons from experiences elsewhere have shown that CSOs do better when governments acknowledge, utilize and incorporate their recommendations into budgets and public policies. Indeed interest in budget work is sustained as CSOs continue to believe that their independent budget activities and contributions are reflected in budgets and other policy instruments of government.

The level of trust between CSOs and government: mutual trust promotes the interaction. People generally take each other more seriously in an atmosphere of mutual trust. Trust breeds truth telling, fairness and reciprocity. When governments and CSOs trust each other, the level of support and cooperation between them increases; one can readily give and receive from the other. One major source of CSO-government mistrust is the consciousness of corruption: often CSOs believe that government is corrupt and governments too see CSOs as rent seekers, making cooperation between the two difficult to achieve. A framework for broad participation that allows the CSO community and government agencies to serve as watchdogs for each other can break the cycle of mistrust.

The above and other related problems make CSO-government partnership in budget work difficult. Activities of CSOs in budget work have remained generally low and less productive. This is why it is necessary to strengthen the capacity of CSOs to productively engage in budget work. It is important to note however that applied budget work, the kind that CSOs should engage in, is not just quality analysis; it is more importantly analysis with findings that maximize the social content of policy debate. In particular, CSOs should have the capacity to examine how budgets capture social and economic policy priorities. More than any other document, government budgets translate policies, political commitments and goals into decisions on where funds should be spent and how funds should be collected. A well-functioning budget system is vital to the formulation of sustainable fiscal policy and facilitates economic growth. But in many developing countries, like Nigeria, with a long post independence history of regimes of military dictatorship: politicians, it would appear, had habitualized the culture of militarism and are building mental images that sustain absolutism, secrecy in public finance matters and indifference to the feelings of others. However globalization tends to popularize western type cultures of openness and broad-based governance. Western type democratic transitions in some developing countries have led to greater availability of budget information and opportunities for those outside government to contribute to the decision-making process. Third is the fallout from the Asian financial crisis of the 1990s. It is largely believed that lack of economic transparency was a contributing factor to the Asian financial crisis. Consequently donors now increasingly, tie funding and economic assistance to open and democratic decision-making processes. Donor agencies have generally popularized a paradigm shift towards pro-poor policies and the active role of CSO/government partnership. There is an emerging consensus on the complementary roles of government and non-governmental actors in advancing economic development. Today most international institutions view appropriate state, private sector and non-profit partnerships as creating new opportunities to enhance governance and implement effective poverty-reduction strategies. Associated with the above is progress the adoption by many of new public finance practices. These practices welcome and support greater transparency in budget systems and a larger role for the independent oversight offered by civil society and legislatures.

The developments thus mentioned notwithstanding, more work is required to institutionalize good governance and the culture of transparency and accountability in the management of public finances. Some of the negative ideas that constrain broad participation of CSOs in budget work in developing countries include:
Economic policies should take the people by surprise; otherwise they take steps to reverse intended outcomes. Budgets must therefore be formulated in secret, as a more open process may upset the markets.

Good politics is not necessarily good economics; legislators and civil society advance interests of their constituents, which may be too narrowly focused and short-sighted to reflect the overall national interest. Thus their participation in the budget debate skews choices away from what is best for the country.

It is the executive’s mandate to produce the budgets; active participation by CSOs and the legislature may cause unnecessary delay without necessarily improving the budget process.

Contrary to the aforementioned views, experiences of the Organization for Economic Co-operation and Development (OECD) countries show that greater involvement by CSOs in the budget process can be compatible with outcomes that maintain fiscal discipline and satisfactory economic performance. Indeed as the engagement of CSOs in the budget process deepens, budget groups are more likely to focus on issues of prioritization and improving the effectiveness and efficiency of expenditures, rather than on simply expanding the size of budget provision for particular programs. Few people would argue with the assertion that the executive branch of government has a mandate to produce the budget; but it does not mean the executive branch should entirely dominate all the stages of the budget process, or that the process should be a closed one. Indeed the positive benefits for government in accepting budget groups as complementary players in fiscal policy definitely outweigh the costs.

THE RISE OF CSOs IN NIGERIA

The fast expanding role CSOs have assumed in modern development has become so important that no government desirous of exploiting and harnessing the potentials of its citizens for national development can afford to ignore. Since the demise of the former Soviet Union and the retreat of socialism in Eastern Europe in the middle and late eighties, the civil society sector or what social entrepreneurial literature now call ‘citizens sector’ has grown in lips and bounds the world over.

In Nigeria, quantitative data on practically everything is difficult to come by, but there are indications that the civil society sector is among the fastest growing sectors in the country. However growth and evolution of CSOs are more dependent on the flow of foreign aid than on interests in specific areas of national development. Civil society movement has a recent history in Nigeria. In 1987, there was only one institutional human rights organization in Nigeria called Civil Liberties Organization, which was founded by Olisa Agbakoba and Clement Nwankwo. But today one can count over a thousand of such groups organized at national, state and local government levels. Like in other developing countries, the rise of vocal civil society movement in the governance sector has elicited varied responses from governments. Since 1999 however, government (at all levels) has cultivated partnership with CSOs in the implementation of their development programmes. This has deepened the democratization processes and reduced public resentments. Earlier governments tended to treat CSOs as enemies and so could readily clamp down on them through various emasculating regulatory frameworks and registration processes that are designed to discourage rather than encourage their establishments. The present government in Nigeria desires to be counted among countries that are cultivating collaborative relationships with their citizens sectors. Civil society movement in Nigeria was motivated by human rights abuses and perceived economic mismanagement of successive military governments, particularly since 1986 when the then President Babaginda implemented the Structural Adjustment Programme (SAP). The movement aimed principally at redressing various human rights abuses. Military dictatorship in Nigeria was characterized by wide arbitrary powers that circumscribed virtually every human right and aborted dissent at a frightening scale. The resulting absence of legal restraints on agents of the regime gave a free rein to human rights violations. There were also concerns that SAP placed enormous hardship and poverty on the people. Responding to the gulf that existed between public rhetoric of the regime on human rights and the gross violations of rights by its officials, a group of lawyers and journalists led by Olisa Agbakoba and Clement Nwankwo founded the Civil Liberties Organisation (CLO) in October 1987, to challenge the regime’s human rights record. Beginning with litigating and documenting cases of human rights abuse by police and military officials and exposing the conditions in prisons and police jails, the group’s successes and challenges laid the foundation for the growth of Nigeria’s human rights movement. Following the footsteps and successes of the CLO, by 1993 when the military government of Babangida was forced to step aside, over 100 other groups had emerged in different parts of Nigeria. The prominent ones among these groups are Constitutional Rights Project, Committee for the Defence of Human Rights and Campaign for Democracy, Human Rights Africa and Human Rights Monitor amongst others. At the initial stage the focus of most of the groups was on traditional human rights concerns such police abuse, prison condition, campaign against torture, long detention without trial, extra judicial killings and general litigation on specific cases of human rights violation. However, as the military government of General Babangida became more vicious in response to exposures of its atrocities and growing public disenchantment with the inability of the government to adhere to its transition timetable for a
hand-over to an elected civilian government, human right groups began to make forays into agitation for an end to military rule in Nigeria. It is worthy to note however that until recently very few groups were actually concerned with independent budget work. The relationship between government and citizens-based groups simply worsened in the succeeding regime of General Sani Abacha. The Abacha-led government was very hostile to dissent and political opposition. The regime dismantled all the structures of transition to civil rule put in place by the preceding government. Abacha’s regime is regarded by many as one of the most repressive in the history of independent Nigeria; many human rights activists and the political opposition were detained, driven underground or forced into involuntary exile abroad. Under such inhuman conditions, end to military rule campaign was identified as the major plank of the work of CSOs.

The above considerations formed the background for civil society response to the transition program of the succeeding government of General Abdulsalami Abubakar in 1998. A civilian regime took over on May 29, 1999. Needless to say, human rights groups were sceptical about the sincerity and ability of the military to midwife democracy in Nigeria. Now 8 years into the current democratic era, the focus of CSOs is shifting gradually from politic and defences against repression to economic management and the need for transparency and accountability in the use of public funds.

PROBLEMS AFFECTING GOVERNMENT-CIVIL SOCIETY PARTNERSHIP

The problems that have hindered effective partnership for national development between government and civil society groups in Nigeria can be examined at three broad levels, namely: structural, institutional and social. These are examined successively as follows:

Structural factors

Clear lines of relationship between civil society and the state is yet to be established in many developing countries; the pattern of relationship is constantly in a flux (cooperative, conflictual, integrative or even non-existent), depending on the context and issues involved. Many governments in the developing world are yet to come to terms with the role CSOs should play. Equally CSOs still need to learn how well to apply themselves to government issues. Both sides need more education on the art and practice of participatory governance. Ultimately though, the structure of government-civil society relations in Nigeria will continue to depend on the extent of division, inequality and conflicts between the rulers and the rest of the society as well as the extent to which every member of the society have a sense of belonging. More cooperation and complementary relationships would develop between government and CSOs when government:

1. runs a democratic system of governance
2. maintains an economic system that is pro-growth, with equity and welfare of all the citizens
3. observe the rule of law and separation of powers between the legislature, judiciary and executive arms, and preserve the fundamental rights of ordinary citizens.

A totalitarian or repressive regime will certainly increase hostility and unhealthy conflicts between government and civil society. For good governance to prevail, the fundamental structural problems affecting effective partnership between the two parties need to be re-examined and necessary reforms implemented. Situations where civil society groups are repressed for challenging the status quo ought to be avoided.

Institutional factors

Flowing from the structural problems, there are serious institutional challenges to partnership between government and civil society. The first major challenge is how to deal with administrative practices and laws that enthrone secrecy and adhocism in the affairs of government. If citizens are to play a role in governance, institutional arrangements for information on who does what and how in government and society must be in place. Mechanisms for disclosure of information that do not constitute any known security and trade risk are required for democratization of governance. The second institutional problem is the limited space available for civil society participation in the formulation of policies that affect the livelihood of citizens by agencies of government. Mainstreaming of civil society and other citizens’ based groups in budget work and formulation of public policies is a major institutional challenge in developing countries like Nigeria. Efforts at incorporating views of civil society groups are largely in response to pressures from donors, the World Bank and IMF. Clear roles and terms of engagements need to be defined for government/CSO partnership. The basic problem with depending on external forces to create space for government-civil society interaction is that such spaces are narrow, project-based and ad hoc. The spaces often serve the specific needs of each donor and hardly extend to other aspects of government business. The third challenge is that of raising the intellectual and organizational capacities of citizens based group for constructive engagements with government departments and agencies. Government would be more willing to partner with CSOs that have capacity for budget work and policy analyses, and the linkages and outlets for disseminating their finding. CSOs that are unable to fund its basic
operations are generally unable to function well. It is one thing for CSOs to make issues out of government perceived failure and quite another to analyze prevailing conditions and come out with useful recommendations for adjustment in public policy. Institutional arrangements for training and funding of CSOs are urgently needed.

Social factors

At the social level, the major challenge is that of replacing the mentality of ad hocism and trial-and-error with respect for planning and organization. More people need to learn how to respect institutions and abide by their guidance. Government officials need to internalize that CSOs have an undeniable role to play in modern democracy, and CSOs should accept that partnership and not confrontation, is more useful in their dealings with government. Indeed unlearning absolutism and militarism and learning cooperation and consultation are the major challenges in this regard. At the level of society, there is need to promote communication between citizens based groups and community members. The level and periodicity of communication between CSOs and communities need to be strengthened. It may be necessary to include communication with individuals and communities as a measure of CSO performance; otherwise many CSOs would be alienated from the communities they ought to be representing. CSOs need also to build capacity for monitoring how local operators of donor programmes utilize donor fund. Wanting to know how local operators of donor projects and foundations spend their funds and how well the projects are run is both reasonable and necessary, because local operators of donor projects may divert from the original goals of the donor.

ACCOUNTABILITY OF CSOS

CSOs should not be exempted from monitoring and traditional oversight. The registration requirements of CSOs should have renewal provisions that demand evidence of positive results produced and audited statements of accounts. It should be possible to de-register CSOs that are either inactive or fraudulent. Many people now accept that CSOs need to be monitored, but there is no agreement on how to accomplish that goal: who should most appropriately monitor CSOs and what should be the measure of their achievement? A wholly government agency may systemically deregister active CSOs that are critical of the misdeeds of government. External monitors may be more concerned with how well CSOs serve their interests. An initiative of CSOs themselves may simplify the entire mechanism and render it ineffective. More research is required to determine how well CSOs can be monitored in each country. Accountability has become the central issue now. But many still feel that in the long run however CSOs are accountable to their funders, not to the people they work among or those whose interest they should serve. CSOs are in some quarters been linked to neoliberalism and intensification of western influence. To ensure their funding is not jeopardised and that the governments of the countries they work in will allow them to function, CSOs often present themselves in a shallow framework, more or less shorn of a political or historical context (an inconvenient historical or political context anyway). They unwittingly reinforce racist stereotypes and reaffirm the achievements and indispensability of western civilization. Eventually, but on a smaller scale, funds made available to CSOs by donors become comparable to external capital that can dictate the agenda of development in poor countries. CSOs are induced to turn confrontation into negotiation and resistance is de-politicized. In this circumstance, local peoples’ movements that have traditionally been self-reliant watchdogs of people’s right transform to employers; providing jobs for people who could be activists in resistance movements, but instead feel they are more useful to the society and themselves earning a living. It would be more useful for people in developing countries to appreciate the selfless contributions of donors to their development and see the tendency for local development to be dominated by donor participation as challenges for local sponsorship of CSOs.

It is difficult for CSOs not be influenced by the idiosyncrasies of external donors. When activities of CSOs are financed and directed by foreign agencies, they act as the liaison between the people and the governments. They can easily become the vehicles through which foreign firms and governments seek to influence the opinions of civil society in the host country.

RECOMMENDATIONS FOR STRENGTHENING CSOs/GOVERNMENT PARTNERSHIP

With the re-birth of democratic governance in 1999, Nigeria and its people have yet another chance for participative governance that is capable of addressing the huge social and economic inequalities in the country. First, building sustainable cooperation and partnership between government and civil society groups in the country is a key requirement in this regard. Poverty, unemployment and decaying institutions are among the major problems that all should together address and tackle. To promote government/CSOs partnership, access to information on both sides should be guaranteed by law; mutually, both should know how funds at their disposal are used. It is not enough to demand that government be open to citizens based groups, non-governmental organizations should also be ready to account for funds received from donors. This will promote mutual trust and reciprocity. Secondly, citizens based groups should be mainstreamed into policymaking and governance. Among other areas of engagement, the CSO community should have automatic representation in
government agencies with oversight functions such as the Economic and Financial Crime Commission (EFCC), Independent National Electoral Commission (INEC), Public Complaints Commission (PCB), Standard Organization of Nigeria (SON), Code of Conduct Bureau (CCB), Budget Monitoring Office, Due Process Office and the Independent Corrupt Practices Commission (ICPC), and the three tiers of the legislature. The choice of who should fill the slots of CSOs should be democratically determined by the congress of CSOs and not imposed by the government. However, CSOs should be required to improve their processes for internal democracy, accountability and ethical conduct by adopting a self-regulatory framework and peer review mechanism that would inspire professionalism in their work. This has proven in many parts of the world to be a better approach in addressing concerns about accountability and transparency within civil society movement. Attempts to externally regulate civil society groups are often motivated by desires to emasculate rather encourage their growth. The evolution of such self-regulatory frameworks would require extensive, broad and inclusive consultations across various levels and typologies of CSOs throughout the country; urban and rural, to avoid any form of imposition. This could lead to a voluntary adoption of ethics and codes of conduct and peer agreement mechanisms. Such ethics and codes of conduct will address issues of accountability, internal democracy, professionalism and related issues of common standards of service delivery to the public. Thirdly, at the individual level it is recommended that given the need for a local funding base for civil society activities in Nigeria, the right to access to public funding for charitable purposes should be guaranteed by law. Such public funding should however be established within a politically neutral administrative framework, with well-defined criteria and procedures for accessing it. Incentives and concessions in the form of tax relief, exemptions, and national honours should be arranged for those who offer to fund CSOs either fully or partially. Fourthly, there is a need for a well-structured institutional arrangement for partnership between civil society organizations, government agencies and departments at all levels. Such arrangements should make it easy for CSOs and other citizens based groups to partner with government in policy formulation, implementation and monitoring; the ultimate goal being the enthronement of transparency and accountability in the affairs of government.

Conclusion

CSOs are essential for good governance and the productive management of public funds. The effectiveness of CSOs in this regard depends on their capacity for budget work, and the institutional mechanisms that exist for their active participation in governance. The performance of CSOs in independent budget work depends, on the one hand on the technical capacity of CSOs and level of coordination among CSOs that specialize in budget work, and on the other hand on the readiness of government and budget related institutions to accept CSOs as stakeholders in the budget process. At present, CSOs that specialize in budget work are few. More support is required for interested CSOs to learn budget work and for network budget monitoring groups to evolve. Legislations are equally required to mainstream CSOs into the affairs of government.