

## CIVIL SOCIETY AND FEDERALISM IN NIGERIA

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### **Abstract**

**T**he role of civil society in building a sustained and viable federal system of government in Nigeria cannot be overemphasized. As political system, federalism has been endorsed by scholars as well as policy makers as one of the most ideal type of governmental authority in the modern world. As an instrument of transformation, civil society has remarkably contributed to the sustenance of federalism in Nigeria through intensive policy evaluation, analysis and advocacy, establishing social platform that facilitate individual ability to recognize and comprehend core societal values and civic norms. This agent of change has further deepened and sustained federalism in Nigeria through ensuring that political office holders are accountable to the electorate. They serve as election observers as well as undertake public interest litigation. They check the excesses of political office holders through their access to media, and monitor government mechanisms. The article examines the significant contributions of civil societies towards the sustenance of federalism in Nigeria. This paper further discussed a wide range of issues within the context of the impact of civil society on Nigeria federalism. The paper adopts functionalism theory in its analyses. It recommends that the independence of civil society is imperative for effective service delivery and continuous impact.

**Keywords:** *Civil society, Federalism, Government and Nigeria*

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### **Background to the Study**

Civil society is a self-motivated, dynamic, vibrant and prominent organization whose activities have significantly impacted Nigeria federalism. Ake, (2003); Werlin, (2003); Orji, (2004a); Gberevbie, (2009); Osumah and Ikelegbe, (2009) posit that the national development particularly in the area of political, social, economic and technological spheres, is a function of the way they are organized in terms of governmental systems, the existence of vibrant non-governmental organizations - civil society (CS), and the overall political culture that is prevalent in such a country, including Nigeria. Civil society groups are fundamentally “conciliator organisations” such as professional associations, religious groups, labour unions, citizen advocacy organisations where individuals of like minds gather to promote their common good and enrich public participation in the sustenance of federalism. Civil society organisations are the bridge between the state and the people. These organisations are engaged in varied programmes ranging from providing services to those in need (including themselves) - in this category you will find the type of NGOs often referred to as service delivery; they compliment and supplement government.

Within the context of Nigeria federalism the civil society through peaceful demonstrations have check the abuse of office by politicians, executive lawlessness and reckless political decisions. According to Ojo (2011), many of the civil society groups like the Campaign for Democracy (CD), Save Nigeria Group (SNG), Civil Liberties Organizations, (CLO), Committee for the Defense of Human Rights (CDHR), Transition Monitoring Group (TMG), etc, were instrumental in the restoration of civil rule. These groups in collaboration with the Nigeria Labour Congress (NLC), fought the Nigerian military administration to a standstill. They mobilized students and workers for civil disobedience, strikes and protest marches across the nation. Many in their ranks were killed and maimed, while some lucky few were able to make good their escape into exile (Ojo, 2011).

In this democratic dispensation, the activities of civil society organisations have promoted federalism in Nigeria through the execution of diverse programs such as voter education, election observation, campaign finance monitoring, election tribunal monitoring, electoral reform advocacy, conflict mitigation, access to justice, public interest litigation, budget tracking, constituency outreaches as well as research and documentation in thematic areas of democracy and governance. These initiatives have made remarkable impact on Nigeria's federalism, as reports of these activities carried out by CSOs have become the indicators through which international organizations and governments assess the federalism temperature of the country (Ojo, 2011). It is against this backdrop, it has become essential to assess the impact of civil society on the consolidation and sustenance of Nigeria federalism. This paper is designed to specifically examine how the various activities of civil society have nourished Nigeria federalism.

### **Conceptual Framework**

**Civil Society:** In theory the term civil society remains extremely complicated, but in practice civil society is much easier to comprehend. The term civil society, like other concepts in scholarly discourse, has multiple, diverse, and lacks a single, universally

acceptable meaning. This is not coming as a surprise because research on civil society is vast, and CSOs have been subjected to rich academic debates both locally and internationally. The term civil society refers to non-governmental, profit free organisations with broad membership from the public and whose activities affect the life of individuals and government. They express the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations.

However, scholars like Orji (2004) see civil society as organized activities by groups or group of individuals essentially out to perform certain services with a view to influencing the government in its policies and programmes for the improvement of society. In the broadest sense, civil society has been characterized as a sphere of social life that is public but excludes government activities (Meidinger, 2001). Michael Bratton describes civil society as social interaction between the household and the state characterized by community cooperation, structures of voluntary association, and networks of public communication (Bratton, 1994). The term civil society is generally used to classify persons, institutions, and organizations that have the goal of advancing or expressing a common purpose through ideas, actions, and demands on governments (Cohen & Arato, 1992).

Imade (2007) further viewed Civil society as a source of counter-hegemonic social movements, concerned with political and societal actors, playing by the rules of the political game and thus seeking to legitimize the state, but not to win control over the state. On the contrary, Hegel shared a contrary view on the impact of civil society to the consolidation of federalism. Hegel viewed civil society as a source of conflict that can spill over into the larger society. His argument is supported by the premise that not every organization in civil society works for the success of federalism; some actually work to undermine the sustenance of federalism. The Oduduwa People's Congress (OPC), and The Arewa People's Congress (APC) in Nigeria, are great examples of Hegel's view.

Mutfang (2003) views civil society as a wide range of association and other organized collectives, capable of articulating the interest of their members, moulding and constraining state power. According to him, their demands provide inputs for the democratic political process, which at times are aggregated by political parties. Their approval or disapproval of what goes on in government contributes to its accountability. He contended that a country which is well endowed in this respect is well positioned to democratize and ensure good governance. It is in this same vein that a weak civil society is often used to explain the failure of democratization.

The Commission on Sustainable Development (CSD), responsible for implementing Agenda 21, classifies civil society into the following Major Groups:

1. Women
2. Children and Youth
3. Indigenous Peoples and Communities
4. Non-governmental Organizations

5. Workers and Trade Unions
6. The Scientific and Technological Community
7. Business and Industry
8. Farmers

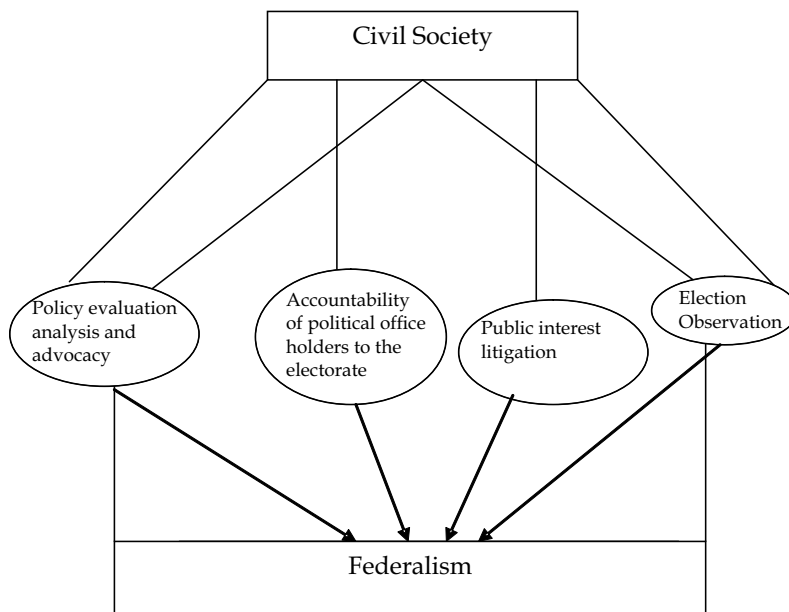
All of the Major Groups are officially recognized by the United Nations through an accreditation mechanism developed specifically for NGOs (Pace, 2002). Civil society is therefore an indispensable tool in the consolidation of federalism due to the fact that citizens can actualize their goals through their operations in the state. It has been able to show too, that the law of natural right is the precursor to the development of civil society, though in Nigeria and other third world nations, they came up as a result of dissatisfaction with the state.

### **Overview of Nigerian Federalism**

The eventual transformation of Nigeria into a federal state started in 1954 as a result of the 1953 Lyttleton constitution conference. This system of government was a legacy of the British colonial administration. It was colonial Governor- General, Sir Bernard Henry Bourdillon in 1939, who created a federation of three provinces out of the former British colony of the Northern and Southern Protectorates as formed in 1901). He put together a constitution that was handed over to Sir Arthur Richards, which later became the Richard's Constitution of 1946 (Fayemi, 2012). The concept of federalism was upheld by Nigeria's foremost nationalists as a system of government that will stimulate national integration and development. Nigeria's first Prime Minister, Sir Abubakar Tafawa Balewa, noted thus: "I am pleased to see that we are all agreed that the federal system, under the present conditions, the only sure basis on which the different tribal communities live, therefore, we must do all in our power to see that this federal system is strengthened and sustained" (Elaiwu, 2000) in (Fayemi, 2012).

### **Conceptual Framework**

The conceptual framework of civil society and federalism is characterized by policy evaluation analysis and advocacy, accountability of political office holders to the electorate, public interest litigation and election observation



**Source:** Civil Society and Federalism model by the author Civil Society and

### **Nigeria Federalism**

In a bid to highlight the importance of civil society in the consolidation and sustenance of federalism, Edwards and Foley (2001) outlines three roles played by civil society in governance to include: providing services, holding the government accountable by representing or advocating for citizens, and building the capacity of citizens to participate in governance. In the same vein, Orji (2004b) identified the roles of the civil society in promoting federalism for political development to include: political education, political mobilization, promotion of popular participation in governance, legal aid, capacity building, to the members of the society. Studies in Nigeria have also pointed to the fact that CSOs have remarkably contributed to the sustenance of federalism in terms of citizens' participation in decision making either directly or through their elected representatives for the enhancement of their well-being (Imobighe, 2003; Orji, 2004b; Ajayi, 2006; Animasaun, 2008).

A Study by Isumonah (2004) showed that there is a positive relationship between the presence of vibrant CSOs, democratic governance and federalism. This is particularly so because further studies have also shown that civil society is a facilitator of true federalism, democratic norms for good governance and political development in a nation (Ajayi, 2006; Howell, 2006). Imobighe (2003) sees the character of Nigerian CSOs as that of resistance, protest and advocacy for change, accountability, human rights observation and democratization of government. This is particularly so because of the unbearable conditions imposed on the people by the misrule and repression of successive governments in Nigeria as manifested in unpopular policies and programmes. In societies where undemocratic means are adopted in public policy formulation, lawlessness is more likely to be the outcome of such policies at implementation.

### **Remarkable instances where the Intervention of the Civil Society Adverted Situations that would have Truncate Nigeria Federalism During the Regime of the Late President Umar Musa Yar'Adua**

The refusal of then Vice-President to take over the leadership of the country by some influential individual in the late president kitchen cabinet, largely from the northern part of the country. The state of affairs in the nation then created a state of pandemonium and stalemate to the extent that even the then members of the Nigerian National Assembly were almost polarized along religious and ethnic lines. It was the action of the CSOs headed by the Save Nigeria Group (SNG) through street protests in major cities in Nigeria, including Abuja and Lagos, that forced the members of the Nigerian National Assembly to invoke the Doctrine of Necessity for the first time in the nation's political history to declare the then Vice-President Jonathan as acting President of the Federal Republic of Nigeria on 9th February, 2010. This singular act of CSOs brought together all segments of the Nigerian society thereby bringing about the peace and stability required for federalism to thrive in any nation (Onwuamaeze, 2011).

### **Collaborating with other Government Agencies through Advocacy in the Fight against Corruption**

The war against corruption has been championed by CSOs in Nigeria. They do this by exposing the secret wealth amassed by corrupt public officials either on the pages of newspapers or even testifying against them at the law court. Besides, CSOs have also gone ahead to aid the speedy and successful prosecution of these corrupt public officeholders in foreign nations by publicly revealing incriminating documents to aid such trials. A good example is the case of the former governors of Delta State, Bayelsa, plateau state among others, (Adesina, 2012; Obiagwu, 2012). Today, the efforts of the CSOs at raising alarm over corrupt practices of public officials in Nigeria has contributed remarkably to the winning of the war against corruption in the country (Obiagwu, 2012).

### **They Serve the Interest of the Masses**

The CSOs in Nigeria by their activities are seen to be the real defender of the people's rights and interests against unpopular, unproductive policies and programmes of government. For instance, in a bid to implement the deregulation policy of the oil industry the federal government of Nigeria on the 1st of January, 2012, increased the pump price of fuel from ₦ 65 to ₦ 141 (Ameh & Josiah, 2011; FGNTA, 2011-2015; Soyinka, 2012). The argument of the CSOs was that while it is on record that huge sums of government revenue went into subsidy payment to oil marketers, they observed that substantial amount of these claims were based on fraud by the oil marketers in collaboration with government officials in NNPC and PPPRA, and called on the government to investigate corruption charges against them. Furthermore, CSOs pointed out that because of the low minimum wage paid to workers in Nigeria at the time the policy was introduced, any increase in pump price of petrol is easily felt by the people and automatically translates into price increase in other areas of the economy such as high cost of transportation, food, shelter and other basic household needs; hence swift resistance from the people each time the price of petrol goes up (Soyinka, 2012).

The situation led to a one week general protest strike throughout the nation called by CSOs and spearheaded by the Nigerian Labour Congress (NLC) and the Trade Union Congress (TUC). The strike led to the death of some protesters who were shot by the Police. Also, some CSOs members were hurriedly tried and sent to jail by the government for supporting the general strike (Ajaero, 2012; Soyinka. 2012).

### **Challenges Confronting Civil Society in Nigeria**

Civil Society Organisations in Nigeria are confronted with array of challenges ranging from absence of unity, political interference, political instability, disconnection from rural organizations, scarcity funds, government patronage, lack of internal democracy, lack of skills, corruption and lack of state support and partnership.

### **Theoretical Perspective**

This paper adopted the functionalism theory. The proponents of this school of thought are Auguste Comte (1798-1857), Herbert Spencer (1820-1903), Emile Durkheim (1858-1979). The theory sees society as a single interconnected social system, each element of which performs a definite function. Fundamentally, the theory is built on two critical tenets: the organism analogy and perception of social structure. The theory views the social system as a biological organism that poses different parts but work together for the common good of the system (Ritzer, 2008). On the social structure, it assumes that the structures of a system are inter-dependent, and that they function together for the maintenance of the system. Thus, functionalism sees any specific social phenomenon or change as necessary to the survival of the system. Civil society organisations are functional in the sense that they have contributed remarkably to the survival of federalism in Nigeria.

### **Conclusion**

The sustenance of federalism in any part of the world without the existence of CSOs is mirage. Therefore, it is proper to conclude that civil society is the bedrock for the consolidation of federalism in Nigeria. In fact, by making the government accountable, responsive, inclusive, and efficient, the civil society organizations have succeeded to strengthen citizens' respect for the federal system of government. This indicates that where a country lacks the presence of vibrant CSOs arising from weak support and intolerance of their activities by the government, the sustenance of federalism is not guarantee. The foregoing suggests that CSOs play crucial roles in the consolidation of Nigeria federalism. For this achievement to be sustained, the paper recommends that the independence of civil society is imperative for efficient service delivery

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