

GOVERNANCE, CIVIL SOCIETY AND PUBLIC POLICY-MAKING IN NIGERIA: A STUDY OF THE 2010 ELECTORAL ACT

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Abstract

The Civil Society Index diamond reveals that civil society in Nigeria is operating in a relatively disabling environment. However, the structure, values and impact dimensions have been identified as its strengths. The important role that civil society plays in creating and implementing public policies has been widely recognized. The paper establishes the nature of civil society, its aims and objectives and how the civil society is positively influencing governance in Nigeria through its contributions in the public policy-making process using the 2010 electoral act as a reference point. The development of any nation does not wholly depend on the government alone but the combination of socio-political environment (Society) and the government. This informed the analytical view of the role of the society in general and its contribution to public policy in Nigeria. The society is a reinforcing mechanism for effective governance in the overall interest of the people. Policy-making is an integral part of government which promotes or demotes good governance in any nation. Civil society has been assumed to play an important role in the policy-making process in Nigeria. This paper is anchored on the system theory in analyzing the role and contribution of civil society in Nigeria with reference to the 2010 Electoral Act. We examined the workings of the civil society's role as it affects policy-making and governance in Nigeria. In doing so, we employed the historical research approach. This research is historical and therefore depends on the analysis of secondary data. The choice of this method stems from the question of reliability. In other words, primary source of data like the questionnaire or any other method would have been equally handy if not for fear of obtaining unreliable or biased responses from the respondents, who for fear of insecurity may not give valid and reliable responses. It is evident in the findings of this paper that civil society organizations influenced the formulation of the 2010 Electoral Act in Nigeria, tremendously. The paper also contended that the demand or support from the environment to the political process is mainly articulated by the civil society organizations. We recommend, among others that Legislators and civil society organizations should always advance interests of the teaming populace for the overall national interest. This will save the country from unnecessary delays witnessed from the active participation of CSOs and the legislature in the budgetary process.

Keywords: *Governance, Civil Society, Public Policy Making, Electoral Act & Development*

Introduction

The development of any nation does not wholly depend on the government alone but the combination of the socio-political environment (society) and the government. This informed the analytical view of the role of the society in general and its contribution to public-policy making in Nigeria. The society is

a reinforcing mechanism for effective governance in the overall interest of the people. As democratic governance has been enthroned in Nigeria since May 29, 1999, the society has been persistent in its agitation for good public policy-making, which concurrently makes for good governance and substance. The concept of civil society in

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Nigeria and the struggle for political independence dated back to the colonial era, though repeated attempts to sustain and consolidate democratic government faltered. 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 leaps 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).

It would be recalled that between 1993 and 1999, in collaboration with the Nigeria Labor Congress (NLC), these groups fought the Nigerian military to a standstill. They mobilized students and workers for civil disobedience, strikes and protest marches across the country. Many in their ranks were killed and maimed, while some lucky few were able to make good their escape into exile. In recent times in Nigeria, CSOs executed 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 some impact on Nigeria's nascent democracy, as reports of activities carried out by CSOs have become the barometer through which international organizations and governments assess the democratic temperature of the country (Ojo,2011).

Statement of the problem

In spite of the roles the CSOs have played, these organizations are faced with problems and challenges that limit their operational efficiency as it relates to influencing governance and public policy-making in Nigeria. The problems that have hindered effective partnership between government and civil society groups in Nigeria

can be examined at three broad levels, namely: structural, institutional and social. On the structural aspect, 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. CSOs on the other hand 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 which will enhance the quality of policy for national development. 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.

However, on the Institutional factors, 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 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 in public policy making/formulation. 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 policy analyses, and the linkages and outlets for disseminating their finding. CSOs that are unable to fund its basic operations are unable to function well. It is one thing for CSO's 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.

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.

From the foregoing, the following pertinent research questions become imperative:

1. To what extent has the civil society influenced governance and public policy making in Nigeria?
2. To what extent has the civil society contributed in the making of 2010 electoral act in Nigeria?

Objectives of the Study

Our focus is on Governance, Civil Society and Public Policy-Making in Nigeria using the 2010 Electoral Act as our focal point of analysis. We shall also examine the extent to which the civil society has influenced policy formulation in Nigeria and the role it has played to sustain democracy especially in the process of electoral reform. Specifically we shall examine:

1. The extent to which the civil society have influenced governance and public policy making in Nigeria.
2. The extent to which the civil society have contributed in the making of 2010 electoral act in Nigeria.

Conceptualizing key concepts

Governance: -The Worldwide Governance Indicators project defines governance as the set of traditions and institutions by which authority in a country is exercised (IBRD 2006). This considers the process by which governments are selected, monitored and replaced i.e. the capacity of the government to effectively formulate and implement sound policies and the respect of citizens and the state of the institutions that govern economic and social interactions among them.

However, to distinguish the term governance from government, "governance"

is what a "governing body" does. It might be a geo-political entity (nation-state), a corporate entity (business entity), a socio-political entity (chiefdom, tribe, family, etc.), or any number of different kinds of governing bodies, but governance is the way rules are set and implemented. The [World Bank](#) (As Quoted in IBRD, 2006) defines governance as the manner in which power is exercised in the management of a country's economic and social resources for development. An alternate definition sees governance as the use of institutions, structures of authority and even [collaboration](#) to allocate [resources](#) and coordinate or control activity in society or the economy (Applebaugh 2010 in Ebueku 2011, 2). According to the [United Nations Development Programme's](#) Regional Project on Local Governance for Latin America, governance has been defined as the rules of the political system to solve conflicts between actors and adopt decision (legality). It has also been used to describe the "proper functioning of institutions and their acceptance by the public" (legitimacy). And it has been used to invoke the efficacy of government and the achievement of consensus by democratic means (participation) (<http://www.north-south.unibe.ch>, Retrieved April 3, 2013). The Governance Analytical Framework (GAF) (<http://www.north-south.unibe.ch>) defines governance in broader terms as referring to the "processes of interactions and decision-making among the actors involved in a collective problem, that leads to the creation, reinforcement or reproduction of social norms and institutions". Governance processes are found in any society, and they can be analyzed from a non-normative perspective (GAF 2013). The proposed method is based on five analytical tools, viz: problems, actors, social norms, processes and nodal points.

Governance, therefore, could be seen as the act of governing. It relates to decisions

that define expectations, grant [power](#), or verify [performance](#). It consists of either a separate process or part of [decision-making](#) or [leadership](#) processes. In modern nation-states, these processes and systems are typically administered by a [government](#). When discussing governance in particular organizations, the quality of governance within the organization is often compared to a standard of [good governance](#). In the case of a [business](#) or of a [non-profit organization](#), governance relates to consistent management, cohesive policies, guidance, processes and decision-rights for a given area of responsibility. For example, managing at a corporate level might involve evolving policies on [privacy](#), on internal investment, and on the use of data.

Civil Society: - Civil society has been defined variously by different scholars but it is important to state that the concept of civil society has evolved over the years. From a historical perspective, the actual meaning of the concept of civil society has changed twice from its original classical form. The Wikipedia elucidates that the first change occurred after the French Revolution and the second during the fall of communism in Europe. In the classical era, the concept of civil society was seen as synonymous with good society. Generally, civil society was referred to as a political association governing social conflict through the imposition of rules that restrain citizens from harming one another (Edward 2004, 6). In the modern era, G.W.F Hegel completely changed the meaning of civil society, giving rise to a modern liberal understanding of it as a form of market society as opposed to institutions of modern nation state. Hegel held that civil society had emerged at the particular period of capitalism and served its interest i.e. individual rights and private property (Dhanagare 2001, 133). Hence, he used the German term *bürgerliche*

Gesellschaft to denote civil society as Civilian Society – a sphere regulated by the civil code (Zaleski 2008, 67). The second change in civil society conceptualization occurred in what is referred to as the post-modern era. The post-modern way of understanding civil society was first developed by the political opposition in the former Soviet bloc East European countries in the 1980s. From then, the term civil society replaced that of political society.

However, in the 1990s, with the emergence of non-governmental organizations and the new social movements (NSMs) on a global scale, civil society as a third sector became a key terrain of strategic action to construct and reconstruct an alternative social and World order. Henceforth, post-modern usage of the idea of civil society became divided into two main aspects as political society and as the third sector (www.wikipedia.org, Retrieved April 8, 2013). On this basis, the Wikipedia, the free encyclopedia puts that “civil society is composed of the totality of voluntary social relationships, civic and social organizations and institutions that form the basis of a functioning society as distinct from the force-backed structures of a state (regardless of that state's political system) and the commercial institutions of the market. Together, state, market and civil society constitute the entirety of a society and the relations between these components determine the character of a society and its structure. The London School of Economics, Centre for Civil Society postulates that civil society refers to the arena of un-coerced collective action around shared interests purposes and values. In theory, its institutional form is distinct from those of the state and market, though in practice, the boundaries between state, civil society and market are often complex, blurred and negotiated. Civil society commonly embrace, a diversity of space, actors and institutional forms, varying in their degree of formality,

autonomy and power. Civil societies are often populated by organizations such as registered charity organizations, development-related non-governmental organizations, community groups, women organizations, faith-based organizations, professional associations, trade unions, self-help groups, social movements, business associations, coalitions and advocacy groups (www.wikipedia.org, Retrieved April 8, 2013).

The civil society is more than just a formation. It is a site, a realm, a theatre and an instrument (Ikelegbe 2003, 37). It possesses the capability to cooperate with, engage, antagonize, contend and influence the state on behalf of the citizenry. The civil society is a realm of discourse, of interest articulation and aggregation, of deliberation of common affairs and of exchange between the civil society formation and other forces. It is also a context where citizen organizations relate and interact with the state, to influence, moderate, cooperate and/or oppose, resist, challenge and struggle against it. It can be regarded as an arena where self-organized and autonomous groups engage the stage in hegemonic and counter-hegemonic struggles for domination, accommodation and opposition (Ikelegbe, 2005; Abutudu, 1997; Adejumbi, 2001; Chazan, 1994; and Shaw, 1994). The civil society in its engagement of the state, attempts to articulate and influence public policies in favour of the popular classes. It is also important in the assessment, measurement and evaluation of the impact of public policies on the masses as it acts as an organized instrument through which the citizenry interacts with the State.

Public Policy: - Public Policy has been defined by various scholars in different ways. Friedrich (As quoted in Ikelegbe 2006, 3) defined Public Policy as the proposed course of action of the government or one of its divisions. Egonmwan (2000, 1) defined Public Policy as important action of government. Olamiyi

(1998, 17) defined Public Policy as the management of human and material resources by policy actors to address a policy problem identified at any point in time. Ikelegbe (2006, 3) also defined Public Policy as governmental actions or course of actions, or proposed actions or course of proposed actions that are directed at achieving certain goals. From the foregoing it is evident that Public Policy is governmental action to remedy perceived societal problems.

Public Policy could also be seen as an attempt by a government to address a public issue by instituting laws, regulations, decisions, or actions pertinent to the problem at hand. Numerous issues can be addressed by Public Policy including crime, education, foreign policy, health, and social [welfare](#). While public policies are most common in the United States, several other countries, such as those in the United Kingdom, implement them as well. The process to create a new public policy typically follows three steps: agenda-setting, option-formulation, and implementation; the time-line for a new policy to be put in place can range from weeks to several years, depending on the situation.

The Process of public policy

When new public policies are created, there are generally three key things involved in the process, viz: the problem, the player, and the policy. The problem is the issue that needs to be addressed, the player is the individual or group that is influential in forming a plan to address the problem in question, and the policy is the finalized course of action decided upon by the government. Typically the general public will make the government aware of an issue through writing letters and emails, or making phone calls, to local government leaders. The issue is then brought forward during government meetings and the process for creating new public policies begins in earnest.

The rational model for the public policy-making process can typically be divided into three steps, namely: agenda-setting, option-formulation, and implementation. Within the agenda-setting stage, the agencies and government officials meet to discuss the problem at hand. In the second stage, option-formulation, alternative solutions are considered and final decisions are made regarding the best policy. Consequently, the decided policy is implemented during the final stage. In most cases, once public policies are in place, they are widely open to interpretation by non-governmental players, including those in the private sector. Implicit in this model is the fact that the needs of the society ostensibly constitute the priority for the players involved in the policy-making process. Also, it is believed that the government will follow through in all decisions made by the final policy.

Civil society in Nigeria

The evolution of civil society in Nigeria could be traced back to the colonial era when nationalists resisted and strived to put an end to the colonial domination and subjugation of the country. The nationalists' struggle and opposition to colonial rule was strengthened by the formation of civil society organizations like the Egbe Omo Oduduwa, the Jamiyar Mutanin Arewa, etc. These organizations were used as spring boards to express the wishes and aspirations of the people. It is worthy of note that some of these organizations later metamorphosed into political parties in attempt to seek power. Taking a cue from the foregoing, we can ascertain that civil society formations in Nigeria have a very long history of existence, so the present status of Nigerian civil society could be said to be an appendage of historical evolution of a vibrant social structure in the polity in order to guide against the subversion of the will of the people (Omodia and Erunke

2007 as cited in Ebueku 2011, 7).

Under the military regimes in Nigeria, there were attempts to stop, reduce or manipulate the activities of the civil society. This is not unexpected as we may attest to the fact that civil society organizations thrive better in free democratic and liberal society. The civil society under the military, struggled to survive and credit could be ascribed to it as a major part of the final ouster of military rule in Nigeria. Organizations like NADECO, Civil Liberty Organization, Campaign for Democracy, etc, were part of the civil society that fought against the subversion of the will of Nigerians and enthronement of democracy.

Since the return to democratic rule in 1999, the state has become relatively open to criticism and allows inputs from the public space. By implication, therefore, the various interests are largely articulated in the scheme of the nation's policy-making processes for an enhanced socio-economic and political development in Nigeria (Omodia and Erunke 2007 in Ebueku 2011, 8). There has been proliferation and strengthening of civil society organizations (CSOs) which influence public policies in different spheres of the socioeconomic and political conditions of Nigerians. These civil society organizations cut across the academia, activist groups, charities, clubs, community organizations, cooperatives, churches, cultural groups, environmental groups, non-governmental organizations (NGOs), professional associations, trade unions, women groups, etc. Some of the prominent civil society organizations are the Save Nigeria Group, OPC, Ijaw Youth Movement, Campaign for Democracy (CD), Women in Nigeria (WIN), Civil Liberties Organisation (CLO), Committee for the Defense of Human Rights (CDHR), Constitutional Rights Projects (CRP), United Action for Democracy (UAD), National Democratic Coalition (NADECO), Joint

Action Committee of Nigeria (JACON), Democratic Alternatives (DA), National Association of Seadogs (NAS), etc.

The Role of Civil Society Organizations (CSOs) in Public Policy-Making

Civil society organizations are very important to policy-makers or the state as they are better placed to know the needs of the people in terms of development and good governance. In recent years, CSOs have become more prominent, more visible and more diverse all over the World. One of the factors influencing the growth of CSOs has been the increased challenge to imbalances of power between state and its structures on the one hand and civil society on the other. This has been driven by many forces such as reactions to centralized authority in state structures, dissatisfaction with state performance on public services and dissatisfaction with policy positions taken by the state in international arenas. CSO networks have been formed within and across countries to promote a wider support to public interests on global policy issues such as human rights environment, debt recovery, development and health, etc (<http://www.who.org>, Retrieved April 8, 2013). The CSOs have the responsibility to influencing public policy-making processes including counter balancing of commercial interest and consensus building on societal priorities. The CSO also provide a legal authority for public participation and the enhancement of civic education and expanding opportunities for greater involvement in governmental programs. Jaga (2007, 247) aptly enumerated the roles of civil societies in Nigeria as thus:

- i. The promotion and defense of the constitution and rule of law.
- ii. The enhancement of the integrity and efficacy of the democratic institutions and processes.
- iii. The development of a viable

democratic political culture in the polity.

In other words, civil society can positively contribute to sustainability of democracy by legitimizing and entrenching institutions, processes, and the culture of democracy, as well as by contesting, delegitimizing and opposing authoritarian, undemocratic and uncivil practices and dispositions (see Jega 2007, 247-248).

The Role of the Civil Society in the Formulation of the 2010 Nigerian Electoral Act

There had been an overwhelming consensus among Nigerians that the electoral system was in dire need of reform. Since the return to civil rule in 1999, all the elections conducted and even the 2007 election that brought the President Yar'Adua government to power had been flawed by both local and international observers. Different reasons for this electoral malpractice have been put forward from the people to the government and even the international community but that is not the focus of this paper. On August 28, 2007, Late President Musa Yar'Adua in fulfilling promises made during his inauguration speech which was a consequence of the continuous clamour of the civil society to reform Nigeria's electoral system, appointed a 22-member Electoral Reform Committee (ERC) headed by Hon. Justice Muhammadu Lawal Uwais, former Chief Justice of Nigeria. The Committee comprises prominent Nigerians from both public and private sectors. The committee's mandate was to examine the entire electoral process with a view to improving the quality and a standard of our general elections towards deepening our democracy. Consequently, the committee received 1,466 memoranda from both Nigerians and the international community and held public hearings in 12 states and the Federal Capital Territory (FCT), Abuja, and

witnessed 907 presentations (<http://www.electoralreformnetwork.org>, Retrieved April 11, 2011).

The submission of memoranda, public hearings and presentations marked a concrete step towards the 2010 Electoral Act and the contributions of the civil society in the amendment and re-amendment of the act. The committee was as it were expected to interact with the citizens and seek their wishes concerning the electoral system. It was practically impossible to hear the views of every Nigerian. So the most practicable was to engage the civil society organizations as their views are perceived to be the views of the masses. Civil society in Nigeria has been critical of the manner in which the electoral process has been managed, particularly, in respect of the voters register, voter education, and election observation. The large numbers, expertise, and geographical reach of civil society organizations give them great potentials to play a strong role in the electoral process, and in conflict prevention and resolution. The main issues raised by civil society representatives regarding electoral administration include:

- INEC's lack of independence and impartiality.
- Limited civil society access to INEC.
- Inaccuracy of the voters registers.
- Lack of transparency and credibility in the determination of results.
- Late granting or refusal of domestic observers' accreditation.
- Political parties' lack of ideological differentiation.
- Lack of intra-party democracy.
- The use of thugs and intimidation.
- Abuse of state resources by incumbent powers at both federal and state levels.
- The pervasiveness of corruption as a

fundamental obstacle in the electoral process www.nigeria.usembassy.gov, Retrieved April 8, 2013).

Civil Society and its Role in Policy Agenda Process: The Electoral Reform Process

The persisting clamour for electoral reforms started yielding results when the Late President Yar'Adua in his inauguration speech acknowledged the flaws in the electoral process that brought him to power and promised a reform of the process. This promise culminated in the set-up of the Electoral Reform Committee (ERC) in 2008. The ERC in the course of generating a policy document consulted the civil society through which the yearnings and aspirations of the people were articulated. The ERC requested for memoranda and presentations at public hearings from mainly the Civil Society Organizations. The role of the civil society became evident again as they articulated the desires of the environment in an effort to influence and place demand on the political system.

Recommendations were made on civil society, media and media regulatory agencies, women, persons living with disabilities, youth, international community, political parties, security agencies, electoral justice system, Prosecution of Electoral Offences, Election Petitions, and other legislations that have bearing on the electoral process (CSCC 2008). The Nigerian Labour Congress made presentation at the public hearing on electoral reforms on Thursday, 26 June, 2008, at the ECOWAS secretariat, Abuja were it clearly stated positions in line with the CSCC (www.nlcng.org, Retrieved April 2, 2013). These memoranda and presentations were made to the ERC whom in this case is a governmental actor acting on behalf of the executive in the policy process. This was designed to influence the governmental actors to incorporate these demands and choices into

the Electoral Act which is the policy action in this case.

The Role of the Civil Society in the Nigeria Electoral Policy Choice

The ERC submitted its final Report to the President on December 12, 2008. The Report concluded that the Independent National Electoral Commission (INEC) and the State Independent Electoral Commissions (INECs) lacked the necessary independence to perform their duties (www.electoralreformnetwork.org, Retrieved April 11, 2011). The ERC made critical recommendations in its report and in response to this report the government released a white paper on March 11, 2009 indicating its readiness to implement some, not all of the recommendations. On April 30, 2009, the President submitted 7 bills in this regard to the National Assembly (Owodiong-Idemeko 2009). There was great delay in the passage of the bill which prompted further role of the civil society organization. The Electoral Reform Network, a network of over 100 civil society organizations dedicated to the reform of Nigeria's electoral system on September 15, 2009 organized a Civil Society-Legislative consultative Forum at the National Assembly Complex, Abuja. The consultative forum attracted members of the Senate Committee on Constitutional Reform, Civil Society Organizations and members of the media (www.electoralreformnetwork.org, Retrieved April 11, 2011). The consultative forum had as its super-ordinate goal, the creation of an avenue for dialogue on the review of the 1999 constitution of Nigeria. This was just one of the many efforts of the civil society to influence the passage of the electoral act. The Electoral Act was finally passed in 2010 after some amendments by the National Assembly and assented to by the President. This is now a policy which is the output of the demand

placed on the political system by the environment represented by the civil society.

Civil Society Organizations and the Implementation Process of the Electoral Act, 2010

The policy document does not end the role of the civil society as they are also involved in the development of a viable democratic political culture in the polity (Jega 2007, 247). The CSOs continue in the education of the populace on the democratic process, electoral procedures and the importance of political participation. This was elaborated by Ikelegbe (2006, 36-37) when he elucidated that groups influence the implementation of policies too. They enhance implementation of policy programmes through their support, cooperation and participation. In this case, they are participating actively to ensure that the electoral process is properly implemented.

Domestic Civil Society Organizations were engaged in a positive dialogue with INEC, playing an important role in promoting the rule of law, the adherence to election regulations, and encouraging an overall orderly electoral process. CSO's dialogue platforms brought to public attention among other issues, logistical and operational challenges during the registration and voting processes, voters' lists shortcomings, instances of electoral malpractices, the need for enhanced civic education on voting procedures, concerns about the security of the ballot and voters, and called for the establishment of INEC Election Day hotlines (EU 2011, 37).

The European Union Election Observation Mission to Nigeria Final Report on the 2011 General Election captured explicitly the different roles of the CSOs in the implementation of the electoral act and in the 2011 electoral process in Nigeria. Worth mentioning is the Election Situation Room, a joint platform of 28 CSOs actively engaged in

cooperation with the electoral authorities. Its main concerns were the performance of the law enforcement agencies and political parties, and the role of the judiciary in the political process. The Election Situation Room identified security hotspots ahead of the polls and widely called on political parties to condemn and refrain from violence. The 2011 Project Swift Count, a partnership of four well-established CSOs observed the general election in all the 774 LGAs and provided stakeholders with real-time information on the conduct of the polls. Swift Count also conducted parallel vote counting for the Presidential election, presenting their findings in a timely and professional manner. The National Elections Incident Centre (NEIC) managed an internet-based map on incidents with popular participation. The Independent Republic Institute (IRI) in partnership with INEC and political stakeholders, contributing to the signing of the Code of Conduct for political parties, while the Centre for Democracy and Development (CDD) in collaboration with the Open Society Initiative for West Africa (OSIWA) produced information on the voters mandate protection. Also the CLEEN Foundation published guidelines for the conduct of Police Officers on Electoral Duty. The CSO "Enough-is-Enough" action front established a platform to track information on social media that allowed to monitor the conduct of elections and violence, and to interact constructively with INEC and security agencies.

However, a number of state-based and regional CSOs were also noted to observe the electoral process throughout the country. The electoral commission received technical assistance from the International Foundation for Electoral Systems (IFES) in the areas of voters' registration, voter and civic education, training of staff, election dispute resolution systems, and in the capacity building of judges and lawyers to administer and facilitate the

election dispute resolution (European Union 2011). The contribution of the civil society organization is evident in the positive comments made on the 2011 elections by both local and international observers.

Theoretical framework

This paper adopts the Systems Theory by David Easton as its theoretical perspective towards understanding and explaining the role of civil society organizations and public policy-making with reference to the making of the 2010 Electoral Act of Nigeria. Systems analysis is a framework of political analysis which sets out with the onerous task of showing how interrelated variables work in unity so as to enable a system's stability or persistence (Ajie and Ogbaji 2009, 73). The theory describes public policy as an output of the political system. The theory conceives of political activity as essentially involving the environment, the political system and output (Ikelegbe 2006, 36). The environment is where demands arise and are placed on the political system. Demands of different kinds emanate in a society and are expressed through various methods upon the political system. The political system is made up of institutions, processes and government personnel (Ikelegbe 2006, 37) and the political system is the processor of the demands (inputs) from different societal groups into outputs which are the public policy. The authoritative allocations or outputs are the public policies. Public policies are the reaction of the political system to environmental demands and pressure (Ikelegbe 2006, 37).

The kind of society determines the type of policy demands. In an autocratic society the policy demand will essentially be that of political reforms or demand for democratization. The nature of the political system whether developed or developing determines its ability to process accurately the demands from the environment. The outputs

which are public policies are continually responded to by the citizenry and this is feedback to the system that brings about new policies or the modification of existing policies (Ikelegbe 2006, 37). Every theoretical framework has its limitations and the Systems Theory is not an exception. Ikelegbe observed that the theory assumes that policies are environmental input converted by the political system. And that the theory fails to recognize that the characteristics of the political system itself may have considerable independent effect on the content of policies. Despite this, the system theory has the advantage of insights into the totality of the policy process and the interactions between the component parts.

Thus, the Systems Theory conceives of political activity as essentially involving the environment, the political system and output. The environment consists of the objective conditions and forces that generate demand and support input. Demands are the articulated needs, problems and aspirations which are brought to bear upon the political system (Ikelegbe 2006, 38). For a political system to continue to function, she must have full information about how the generality feel about the policies (Ajie and Ogbaji 2009, 75). The civil society being populated by social-political groups that relate with the State ostensibly in the interest of the masses is a part of the environment. It is the civil society which is a component of the environment that articulates the needs, problems and aspirations of the environment and as such places the demands on the political system or state for onward processing and subsequent output in the form of public policies.

The scenario painted above was the case in the formulation of the 2010 Electoral Act in Nigeria. There was the problem of bad leadership that was traceable to the manipulated electoral system. The environment or the mass population had

clamoured for the amendment of the Electoral Act as a panacea to incessant electoral frauds being perpetuated by the ruling political class in the Nigeria. The wishes and aspirations of the people were channeled through the civil society organizations to the political system. The civil society organizations' influence on the policy-making process occurs at every stage. They are active in the initiation, generation and formulation of public policies and in the determination of their content and direction (Ikelegbe 2006, 116). The civil society groups were active in the initiation of the Electoral Reform. This role was performed through criticisms of the electoral system and the Independent National Electoral Commission that facilitated the elections that returned civilian governments to power. These criticisms were put forward through the mass media, public debates, seminars, etc.

Methodology

Without a systematic way of producing knowledge, findings of any subject matter can be dismissed as guess work. This research is historical and therefore depends on the analysis of secondary data. The choice of this method stems from the question of reliability. In other words, primary source of data like the questionnaire or any other method would have been equally handy if not for fear of obtaining unreliable or biased responses from the respondents, who for fear of insecurity may not give valid and reliable responses. Bureaucrats, senior technocrats and Party loyalist would certainly want to justify their actions in their responses. Based on this, data for this work was purely based on critically analyses of published works of scholars who have devotedly looked and analyzed the process, (within the period under review) in what they feel is the most objective sense. This library reference was conducted from reports by neutral individuals, report of Transition

Monitoring Group (TMG) of both local and international status, religious organizations, conference reports, Non Governmental Organizations (NGOs), members of the civil society groups, conference reports etc. These data were obtained from a wide range of secondary sources which include E-books, Textbooks, newspapers, magazines, journals, seminar reports, workshops communiqué and reports from other sources of information relevant to the subject matter.

Conclusion and recommendations

The civil society which is made up of diverse groups e.g. the professional groups, religious groups, market guilds, road transport workers union, development associations, environmental protection organizations and even secret cults seek the influence of public policies with specific proposals to suit not only or necessarily their interests but that of the masses. The articulation of the people's interest is carried out by the civil society organizations through submission of specific proposals for legislation or working through legislative or executive officials to ensure the enactment of policy proposals favourable to the entire society (Egonmwan 2000, 119).

It is evident in the findings of this paper that civil society organizations influenced the formulation of the 2010 Electoral Act in Nigeria, tremendously. The paper also contended that the demand or support from the environment to the political process is mainly articulated by the civil society organizations. It was revealed that CSOs face numerous challenges in Nigeria. The most pronounced among such problems is the allegation that civil society organizations often lack competent administrators and technicians, or financial and material resources. With such weak organizational structure and porous financial base, most CSOs find it difficult to engage in effective advocacy work. Again, there is no clear

definition of the relationship between civil society and the state in Nigerian and many developing countries. The pattern of relationship is constantly in a flux i.e. cooperative, conflictive, 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 intervene in civil society-government issues. Thus, both sides need continuous education in the art and practice of participatory governance.

Recommendations

Based on the above conclusions drawn from the findings, the paper recommends thus:

- Legislators and civil society organizations should always advance interests of the teaming populace for the overall national interest. This will save the country from unnecessary delays witnessed from the active participation of CSOs and the legislature in the budgetary process.
- In the realm of good governance, Nigeria's ruling class and CSOs need sound value-orientation and ideological underpinnings towards re-engineering our electoral system.
- CSOs should not be exempted from monitoring and traditional oversight function of the legislature.
- To strengthen CSOs, their registration requirements should be reviewed to include new provisions demanding evidence of positive results produced and audited statements of accounts.
- To promote government-CSOs partnership, access to information on both sides should be guaranteed by

law. Thus, the Freedom of Information Act in existence should be patronized, holistically.

It is not enough to demand that government be open to citizens, non-governmental organizations should also be ready to account for funds received from donors. This will promote mutual trust and reciprocity.

There is 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.

There is also the need for a well-structured institutional arrangement for partnership between civil society organizations, government and MDAs. Such arrangements should make it easy for CSOs and other citizens-based groups to partner with government in policy formulation, implementation and monitoring with the ultimate goal of promoting transparency and accountability.

References

- Abutudu, M.I.M. (1997), "The unfinished Transition, 1985-1993". In Bello-I mam (e d .) , Nigeria : Economy, Politics Society in the Adjustment Year. United Kingdom: Cambridge University Press.
- Adejumobi, S. (2001), "The Civil Society in Conflict Management and Peace-Building in Africa". In the Development Policy Management Bulletin 7(1), pp.19-21.
- Ajie, O and Ogbaji. U (2009), Contemporary Political Analysis. Lagos: Petrosini Press
- Chazan, N. (1994), "Engaging the State: Associational Life in Sub-Saharan Africa". In Kohic & Shue (eds.), State Power and Social Forces: Domination and Transformation i n the Third World. Cambridge University Press.
- Civil Society Coordinating Committee (2008), "Civil Society Charter on Electoral Reforms". Abuja: Alliance for Credible Election (ACE).
- Eddy, Akpomera (2009), "A Critical Evaluation of the Nigerian Policy on Human Trafficking". In the Nigerian Journal of Politics and Public Policy, Vol. 5 No.1 & 2, pp.48-63.
- Edwards, Michael (2004), Civil Society. Cambridge: Polity Press.
- Egonmwan, J.A. (1991), Public Policy Analysis, Concepts and Applications. Benin: Resyin.
- European Union Election Observation Mission to Nigeria (2011), "Final Report on the 2011 General Election.
- Dhanagare, D.N. (2001), "Civil Society, State and Democracy:

- Contextualizing a Discourse”, In the Sociological Bulletin 50(2), pp.167-91.
- Ikelegbe, A.O. (2006), Public Policy Analysis: Concepts, Issues and Cases. Lagos: Imprint Services.
- (2005), “Engendering Civil Society: Oil, Women Groups and Resource Conflict in the Niger Delta Region of Nigeria” In the Journal of Modern African Studies 43(2), pp.241-70.
- (2003), “Civil Society and Alternative Approaches to Conflict Management in Nigeria”. In Imobighe (ed.), Civil society and ethnic conflict management in Nigeria. Ibadan: Spectrum Books.
- Independent Electoral Assessment Team Final Report (2010), www.nigeria.usembassy.gov, Retrieved April 8, 2013.
- Jega, A.M. (2007), Democracy, Good Governance and Development in Nigeria. Ibadan: Spectrum Books.
- Nigerian Labour Congress (2008), “Presentation at the Public Hearing on Electoral Reforms”. Thursday June 26. Abuja: ECOWAS Secretariat.
- Olaniyi, J.O. (1998), Foundations of Public Policy Analysis. Ibadan: Sunad Publishers.
- Omodia & Erunke (2007), “Civil Society and Democratic Consolidation in Nigerian Fourth Republic”. A Reappraisal in Pakistan Journal of political Science 4(5), pp.672-76.
- Owodiong-Idemeko, Ide (2009), “Ten Years of Nigerian Democracy: A Review of the Electoral Process”. A Paper Presented at the Feast of Barracuda Event hosted by the National Association of Seadogs, Netherlands Chapter, in Gaasperplas Public Park, Amsterdam Zuidoost, Saturday July 4.
- OSIWA (2009), “Communiqué of the Strategy Meeting for Civil Society Organizations on Constitutional and Electoral Reforms organized by the Open Society Initiative for West Africa.
- Shaw, M. (1994), “Civil Society and Global Politics: Beyond a Social Movement Approach”. In the Millennium 23(3), pp.647-67.
- Zaleski, Pawel (2008), Tocqueville on Civilian Society: A Romantic Vision of the Dichotomic Structure of Social Reality: www.en.wikipedia.org, Retrieved April 8, 2013.