

The Role of Civil Society Organizations (CSOs) in Deepening Democratic Tenets in Nigeria.

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Abstract

The need to enhance the role of civil society organizations (CSOs) for better engagement of government to foster democratic tenets and development in Nigeria has become ever more necessary as her democracy is increasingly being confronted with recurrent challenges of flagrant disregard for the rule of law, human rights abuses, arbitrariness and political impunity. Since the return to civil rule in 1999, there has been increase in agitations for self-assertion and determination by the numerous component ethnic groups, demand for equality, equity, fairness and justice by the hitherto repressed citizens. The promise of liberty and free speech which democratic rule dangles is becoming a mirage by the day as the desire to hold mass protest and civil disobedience against worsening socio-economic and security conditions is viewed as mutinous and therefore, vehemently suppressed. Against this background, this paper examines the role of CSOs in bridging the gap between the people and government. It particularly examined the contributions of CSOs on the three basic fundamental pillars of democracy which are: periodic elections, adherence to rule of law and respect for human rights. The paper adopts the liberal democracy theory as a framework of analysis. The findings reveal that CSOs are faced with numerous challenges which are both internal and external which have led to their being less effective. The paper further contends that poor funding, lack of public awareness of the roles of CSOs and inability to have access to vital information especially from government agencies amongst others militate against the smooth operations of CSOs. It recommends that the CSOs should build their structures from grassroots to create public awareness and ensure proper funding and accounting system.

Keywords: Civil society organizations, pressure groups, democracy, liberal democracy, human rights.

Introduction

Civil society organizations (CSOs) have been recognized as important agents to societal development as observed from their activities and impacts in the developed Western democracies. They contribute immensely to these societies by improving the quality of governance, developing capacity of government to apply the

principles of accountability, transparency and fair-play in the distribution of justice. They have also played critical roles in the provision of public goods, social welfare services, humanitarian services, socio-economic empowerment and very importantly restraining the abuse of state power by government. CSOs and political parties are two veritable institutions that work within different spheres of operations in the democratization process because their objectives and approaches are remarkably different, yet their activities are reinforcing the development of democracy.

CSOs are expected to serve as an interface between the public and the private spheres of societies, but consciously or otherwise, they are not immune from the exigencies of the very political society in which they operate. However, within the context of democratization process which requires the establishment of a synergy and allegiance, partnership and compromise, CSOs and political parties being the critical stakeholders do perform roles that are common to the expectations of representative democracy.

According to Bernhard, Hicken, Reenock and Lindberg (2015), there are three areas in which civil society organizations (CSOs) play vital roles in the process of representative democracy. First, they are arenas through which citizens' preferences are formulated and aggregated. Second, they represent the sphere of the society in which citizens overcome collective action problems, secure representation and contribution to policy change. Third, through CSOs' resistance to unpopular state actions and their role as whistleblowers, they are regulating the conduct and practice of political party in power and the opposition parties as well. In the opinion of Berber (1995), unlike political parties which central objective is to capture state power, CSOs are non-political, non-profit voluntary organisations that aim at establishing common grounds with other institutions either through consensual, integrative and collaborative actions or interactive networks to bring about, consolidate or sustain democracy.

The successes recorded by CSOs in the developed Western democracies have elicited the attention being given to such civil societies in the third world countries such as states in Africa, Asia and Latin America. Though not a completely alien phenomenon to African history, during the colonial era, various groups engaged the colonial government to favourably influence colonial policies towards Africans. Some of those actions, no doubt, significantly led to the granting of independence. However, how has Nigeria, like other nations which were colonized been able to evolve viable political systems, institutions and structures for sustainable political

development and social order? This is because the reality today is that African post-colonial setting is a confusing mixture of authoritarian and democratic parliamentary institutions.

The idea of supremacy of the law, from which authority is derived, which was consciously introduced by the colonial administration seems to be lacking. Thus, there exists no corresponding consciousness that sovereignty or ultimate control of government lies with the people. A cursory overview of Nigeria's socio-political challenges would reveal that though the nation's democracy is seen to be making steady advancement, she is still very much bedeviled with problems like absence of free and fair election, highly monetized politics and vote-buying, unprecedented level of corruption and impunity in office amongst the ruling class, personalized leadership, rights abuses; ethnic and primordial politics which are the basis of discrimination in relation to access to positions and resources (Eregha, 2004). A resulting problem from these challenges, which have hindered development overtime, is what Huntington (1981) has described as the ineffective nature of Africa's institutions, which he pointed out to be weak, non-adaptable, and lacking coherence. These manifest deficiencies are related to the lack of well-organized political parties, bureaucracies, inchoate civil and political societies and ineffective structure of civilian control over the military.

In addressing these multi-faceted challenges of the failure of the Nigerian State, governance and development crisis; the civil society organizations are considered the most capable and formidable non-state actors that are able to engage the government based on their track records in handling critical areas of human and national existence especially in the management of societal ills and improving human lives, their strict demand for accountability, transparency, observance of rule of law and sustenance of civil rule. Civil societies are also known to provide services, hold the governments and markets accountable by representing or advocating for citizens, and build the capacity of citizens to participate in governance and public administration.

Civil Society Organizations and Representative Democracy: Conceptual and Theoretical Underpinning

Gberevbie (2013) explains that the concept of civil society like other concepts in the social sciences lacks a single, precise and universally accepted definition. The likely reason for this, according to him, is connected to the political backgrounds and experiences of those defining the concept. Notwithstanding, many scholars

seem to have unanimously agreed by their various definitions on some basic characteristics of the concept. Common among these similarities will include: organized groups(s) of individuals; non-governmental in nature; action and activities mostly directed at government; main objective aimed at influencing policies; programme of government for public good; non-profit and self-financing.

The definitions given by Orji (2004) and Ikelegbe (2005), do not have a mark deviation from the above stated characteristics of the nature of CSO. While Orji maintains that civil society is an organized activities by group or groups of individuals essentially out to perform certain services with the view of influencing government policies and programmes for the improvement of society, Ikelegbe refers to it as a participatory broad based and self-governing formation engaged in shaping public affairs, policy and government. He further explains it as an instrument by which the citizens engage the State in different struggles, challenges and contestations. Imobighe (2003), on the other hand, points out that the civil society in Nigeria includes professional organizations, labour movements, youth associations, peasants, socio-cultural groups, civil rights and communal groups, around which the civil populace build various identities for the promotion of their various interests for development.

He further contends that civil society refers to a group of non-governmental organizations, professionals and associations in any shape and size in a society formed purposely to engage the state or government on issues that affect the people with a view to finding acceptable solutions to the developmental challenges of the state – political, social and technological for the enhancement of the living standard of the people. While Olateju (2012) argues that civil society is often used to mean either society as opposed to the state or, more precisely as an intermediate sphere of social organization or association between the basic units of society – family and firms – and the state.

There is no doubt that the activities of civil society have grown over the years, infact, growth and development in society are concomitant to the development of CSOs. One of such developments that has aided the cause and advocacy of the association is the advancement in the information and communication technology (ICT), which has made access to information much easier. This factor and other efforts have helped to galvanize more public support and participation.

Democratic governance stands out amongst the existing forms of government as most desired world over. The fact that it is the type which opinions of citizens find expression and governing power is indirectly exercised through elected

representatives makes it a preferred choice. According to Dahl (1971), this system of government must meet these essential conditions: an extensive competition among individuals and groups especially political parties for elective positions of government power at regular intervals and excluding the use of force; a highly inclusive level of participation in the selection of leaders and policies at least through regular and fair election that no major group is excluded; and a level of civic and political liberties: freedom of expression, freedom of press, freedom to form and or join organizations sufficient to ensure the integrity of competition and participation.

These basic essentials of democracy have been sub-divided into two constituent parts, namely; the “forms of government” and “the substance of government” or what can also be referred to as “legal and participatory perspectives”. Okunade (1998) submits that the form of government which is also same as the legal conception emphasizes the decision making process and requisite procedures that enable people to govern such as voting, electoral contest to public office. The substance or participatory conception of government on the other hand refers to the outcome from the former process (forms or legal) such as direct benefit of policies on the citizens. They also submit that popular control over collective decision making and equality in the exercise of that control is what democracy is all about.

On the other hand, civil society organization is assumed to operate in the larger theory of liberal democracy theory. This is because the importance attributed to civil society relies to a large extent on how civil society contributes to the institution and practices of liberal democracy. Shively (2005) posits that liberalism is the highest good of society, that is; the ability of the members of that society to develop their individual capacity. It requires people to be maximally responsible for their actions. The inference here, according to liberalist is that collective decision making is what guides the state. This central assumption of liberalism has become the foundation for democratic government. John Stuart Mills, a major figure in liberal thought and an advocate of democratic government explains that the “chief end of all politics is to allow people to become responsible and mature, they can do this, only if they take part in decision affecting their own lives” (Shively, 2005).

Therefore, activities of the state depending on the political perspective can be extensive or minimalist but when the state does intervene in the life of the political community, it must be guided by procedures that generally entail public deliberation, voting and majority decision rules. Thus, CSOs serve to preserve a robust sphere of liberal, free-state. These associations operate as centres of power

that compete with the state and enable their members to critically deliberate and engage with the initiative of the state. The state must however guarantee the fundamental rights of free speech and free association which are pre-requisite for social mobilization and also allow some degree of transparency in policy making activities to enable civil society use democratic means to checkmate the State.

It can be deduced that civil societies and political parties are recognized with a high level of institutionalization in the democratization process in general. According to Mohammed (2018), hypothetically, the higher the level of institutionalization of democratic institutions like the CSOs, the more instrumental they become in the process of deepening democracy. The idea is to understand the role of each actor in the democratic process and the changing nature of this role given the dynamics of political system, socio-economic and environmental factors.

In the area of electoral process of liberal democratic societies, the institutional theory implies that CSOs are institutional partners in ensuring systematic change in the political process for the common good rather than the interest of the State, a clique within it or certain class in the society. Civil society represents a particular sector that sprouts from the associational life of the society. It is a veritable institution within which political parties develop and carry out their activities. This is because any association of like-minded individuals who come together and unite under a political platform to express their political interests, wrestle power and give a direction to the process of governance must necessarily stem from the society in which it operates. Thus, in civil society lies a political society within which modern political parties emerge and thrive. The robustness of these institutions in the electoral process depends on how deepening institutionalized they become in the democratization process. For these institutions, institutionalization is a continuous variable rather than a nominal variable which begins and ends after election.

The Role of Civil Society Organization in Deepening Democracy in Nigeria

Civil society Organizations have played vital roles in the entrenchment of democracy and democratic tenets in Nigeria, many of these groups like Campaign for Democracy (CD), Centre for Democracy and Development (CDD), Committee for Defense of Human Rights (CDHR), Civil Liberties Organization (CLO) and National Democratic Coalition (NADECO), were instrumental in the restoration of civil rule. It would be recalled that between 1993 and 1999, the CSOs in collaboration with some professional bodies like Nigeria Labour Congress (NLC), Nigerian Bar Association (NBA) and students' union like the National Association of Nigerian Students (NANS) were mobilized for strikes and protest marches across

the country which eventually led to the military departure from governance. Orji (2004) believes that these CSOs and other professional bodies were at the forefront in the fight against military rule and for the restoration of democracy and democratic governance in Nigeria.

For instance, NADECO was formed in May 1994, when it became clear that Abacha was going to renege on his promise of convening a constitutional conference 'with sovereign powers'. According to Mustapha (2001), NADECO declared that it stood for the restoration of democracy and true federalism. It asserted that the military dictatorships of Babangida and Abacha have had terrible consequences for the country. It described the Abacha political transition as insincere, and poorly managed. It, therefore, called for the validation of the June 12 Election, the formation of a broad-based national government led by Abiola, and the convening of a sovereign national conference with the objective of achieving true federalism and political stability. NADECO-Abroad, on the other hand, campaigned strenuously for strict observance of existing bans on arms sales and deliveries, strict observance of travel restrictions on members of the military junta and their collaborators, a freeze on foreign assets of members of the regime and their agents, and the imposition of comprehensive sporting and oil sanctions.

On the whole, NADECO remained more vocal in its criticism of the Abacha junta, and joined other civil society groups to establish the umbrella United Democratic Front of Nigeria (UDFN). It published a journal, *Nigerian Liberation*, and its leaders were constantly featured on Radio Democrat International Nigeria (later renamed Radio Kudirat International), the underground anti-Abacha radio station beamed to Nigeria. To say the least, NADECO could be likened as a gadfly in the life of the Abacha military regime. It mounted vigorous campaign against the regime till Abacha's unmitigated demise and subsequent disintegration of his dictatorship.

To further examine their roles, the paper will particularly focus on some challenging areas which are fundamental to Nigeria's democracy and in which sectors the CSOs have played key functions. Such areas include election, rule of law and human rights protection.

Civil Society Organizations and Elections in Nigeria

Elections in Nigeria are rarely considered free and fair because they are fraught with fraud, violence and usually culminate in the destruction of properties and loss of lives. The causes and modes of election malpractices are diverse, varied and

complex. Thus, the involvement of civil society groups, as neutral observers separate from the interest of the ruling political elite and the opposition political party (ies) has brought in progressive constructive engagement to the electoral process. According to Policy and Legal Advocacy Centre (2002), key roles of CSOs in the election process include advocacy and monitoring which enable them to take part in observer's mission on the field and in the collation centres. To this end, CSOs have come together to form Election Observers Group (EOG) to achieve a more coordinated approach. Not only does this ensure that due process is followed, but it also gives credibility to the process.

Towards reforming the Electoral Act in 2007, CSOs made several presentations and recommendations to House Committee on Electoral Reform Committee. It would be recalled that CSOs were instrumental to the setting up of Uwais Panel that paved way for the significant electoral reforms after the 2007 elections. They were able to achieve this feat through constant advocacy and prodding of the government on the urgent need to reform the electoral process. One of which includes the use of electronic voting as one of the ways of addressing election malpractices in Nigeria. Apart from this, CSOs continually advocate to citizens to actively participate in the electoral process by encouraging them to register and vote. Also, they take interest in post-election petitions and tribunal judgments for the purpose of setting constitutional discourse that can pave way for constitutional amendment that will improve the electoral system.

So far, engagement and re-engagement of the Independent National Electoral Commission (INEC) by CSOs and other important stakeholders for re-engineering of the electoral process has continued to strengthen the system. For instance; there is hope that the partial trial use of the electronic voting will inevitably lead to its eventual complete usage in future elections. Indeed, the CSOs facilitated greater understanding through establishing an interface between INEC and other stakeholders like- the media, political parties and civil societies, and between INEC and coalition of CSOs. In particular, the CSOs actually engaged INEC at the different stages in the electoral process. One of such engagement platforms was the INEC's Roundtable on "Preparations Towards the 2015 General Elections: Enhancing Citizens' Participation through Civil Society Organisations" held on April 8, 2014 (Mohammed, 2018). It was one of the early engagements with INEC that further added more strength to CSOs voter education activities.

Civil society organization and the rule of law

CSOs are being confronted with a situation where adherence to the rule of law by the ruling class is in conflict with the personalized leadership style. The arbitrary abuse of position of authority and non-compliance to judicial decisions by the executive arm of government and sometimes the legislature have shown that equality and supremacy of the law is a process yet to be fully entrenched in Nigeria's democracy. Nonetheless, CSOs have not relented in their effort to bring to light such anomalies in the system. Saliu and Mohammed (2007) gave one of such instances to a protest championed by coalition of CSOs, The National Civil Society Coalition against Third Term (NCSCATT) and other political parties against tenure elongation bid in the Fourth Republic in 2007. Furthermore, Ojo (2012) reports that ex-President Obasanjo's administration had attempted to tinker with the Nigerian constitution in 2005/2006, to insert a tenure elongation clause, but the plot was essentially thwarted by the National Assembly with pressure from the civil rights groups

Again, in 2010, CSOs rose to the occasion to demand for the recognition of the then Vice President Goodluck Jonathan as the Acting President, when late President Musa Yar'Adua was indisposed and receiving treatment for a protracted length of time abroad. CSOs such as the 'Save Nigeria Group' and 'Enough is Enough Group' actually seized the initiative and demanded for a resolution that would give due recognition to vice president as acting president. This led to the adoption of the now popular 'Doctrine of Necessity' by the National Assembly in March 2010 (Odeh, 2012). The civil society organisations, till date, have continued to ensure that the Nigerian constitution is upheld by all.

Civil society advocacy and human rights in Nigeria

The nature of governance which most times negates the rule of law and 'stretches' state might to maintain personal political power predisposed the state to that which is prevalent with human rights violations and abuses. Thus, civil society at various times have challenged the government on rights violation and even bringing the international community to bear on the state. Otaghagua (2011), made reference to the condemnation and public outcry which were fuelled by advocacy from CSOs following the summary execution of Ken Saro-wiwa and eight others in 1995 under Abacha's military rule. In a related development, the Odi Massacre in Bayelsa State, under a civilian government raised widespread condemnation through publicity given to those extra-judicial killings by the CSOs. Indignation and criticism at the action of Nigerian government led to the administration of Chief

Olusegun Obasanjo making frantic effort to redeem her image among the comity of nations.

A more recent test case for governance on human rights which was taken up as a challenge was the handling of the Corona Virus pandemic by the government. For instance, Nigeria Human Rights Commission (NHRC) reported in April 2020, that extra judicial killings by the army and police as a result of enforcing lockdown in different parts of the country has outnumbered the actual number of deaths arising from Corona Virus as at the said date. Also on transparency and to guard against marginalization, the International Centre for Investigative Report (ICIR) and Socio-Economic Right and Accountability Project (SERAP) called on the federal government to declare publicly palliative received from corporate organizations and individuals, show modalities for palliative sharing among states of the federation and indices used for measuring the poorest of the poor in the society which enabled one to benefit from social intervention programmes by the federal government.

The efforts of ICIR and SERAP on the aforementioned issues led to some positive actions. Some highly placed public servants saddled with the responsibility of distributing the palliatives have been investigated and those found culpable arraigned for sharp practices. Again, the intervention of CSOs has necessitated a re-evaluation of enforcement measures and adoption of a more inclusive, fair and transparent palliative sharing system.

Factors militating against effective performance of civil society organizations in Nigeria

1. The issue of poor funding and corruption: The problem in this area is divergent. On one hand, the poor economy hinders members to meaningfully contribute to be able to sustain engagement of government, while on the other hand, financial support from international donor agencies have led to many proxy CSOs that exist in name only.
2. Disconnection of CSOs from Rural Areas: The groups are largely located in urban areas leaving no presence at the grassroots. This situation of non-engagement of government from the bottom-up approach has constituted an institutional disconnect and has impacted negatively on the service delivery of CSOs especially at the rural areas.
3. Cultural inhibition, polarization and partisan sentiment: Parochial sentiments have continually weakened the effects of CSOs. Members or groups may decide to boycott engagement of government on a particular

policy or programme that is inimical to public good and national development because of cultural or other related interest. Mazuri (1982) explains that acute ethnic cleavage has considerably hampered the struggle for a viable society in Africa.

Lack of internal democracy and requisite skill: Hijack of the organizations by some members in order to project separate agenda or prosecute some subterranean interest has made some CSOs to lose focus and relevance. There is also the factor of lack of the requisite skill or knowledge on issues for proper engagement of government by members which is forfeited on the account to gain membership strength.

Conclusion and Recommendations

There is no doubt that, CSOs are indispensable factor to the strengthening of any democracy. The fact that the groups have made government to be held accountable for some of their actions and conforms to acceptable global standards of governance portends a move towards development. However, no developed nation of the world today achieved such position without pragmatic and exemplary leadership by government or the ruling class. The near absence of purposeful leadership in Nigeria, which is shown through the action of subsequent governments that have come into power since independence till date by their acts of corruption and impunity, especially amongst the executives on electoral malpractices, ethnic prejudices and unwillingness by the ruling class to resolve age long fundamental issues of a failing federal system, weak institutions, flagrant abuse of human rights, subverted legal framework and procedures of government for selfish interest have left Nigeria in a very precarious situation.

The onerous task of addressing these multifaceted problems has fallen on CSOs, a group considered most capable and formidable to engage government, based on its attributes in handling critical areas of human and national existence, especially societal ills and improving development by demanding from government accountability, transparency, and observance to the rule of law. The efforts of CSOs have been seen in all spheres of governance in Nigeria, particularly, in matters of sanctity of election, respect of human rights, obedience to rule of law and sound governmental practices and conducts. Though, the successes of the group are still minimal, however, government is put on her toes and made to account for her actions more often than before. Therefore, the need for CSOs in stabilizing Nigeria's nascent democracy is increasingly evident; but it should be more systematic, functional and all-encompassing and not restricted to nominal significance of just numbers. The recommendations for this study are:

- Members of CSOs should be trained and retrained especially in elections and electoral matters in order for them to be conversant with modern and recent skills and trends. This is particularly essential as such trainings will enhance their capacities in monitoring elections at various levels.
- CSOs should take more than a casual interest in the happenings and occurrences in the various political parties in Nigeria. CSOs should scrutinize even the process of emergence of party officials and their flag-bearers right from ward to the national levels.
- CSO must guard against such factors that are likely to hinder their effective performance such as internal (lack of internal democracy, vision and mission obstruction) and external (ethnic or cultural, political or governmental affiliation).
- There should be an increase and focus advocacy on grassroots mobilization. CSOs should make their presence felt and noticed at the rural areas. Establishing contacts and liaison offices at the rural areas will help in eliciting support and galvanizing mass mobilization and participation at the grassroots.

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