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PUBLIC POLICY MAKING PROCESS IN NIGERIA: AN OVERVIEW

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Abstract

The state owes a lot of obligations to the people. These range from the maintenance of law and order as well as the protection of lives and properties of the citizenry among others. In order to effectively discharge these responsibilities, public policies are made. The major objective of this paper is to undertake an overview of the public policy making process in Nigeria by identifying the stages, activities and actors involved. The study relied on existing literature which was reviewed. The problems of public policy making in Nigeria have been identified. These include dearth of reliable data, policy reversals, executive incapacity and corruption in the public service. The study recommends for the establishment and strengthening of Departments of Policy Research in all Ministries, Departments and Agencies (MDAs) at all levels of government as well as policy consistency among others.

Key words: *Public Interest, Public Problem, Public Policy Making, MDAs, Policy Research, Public Service*

Introduction

The state owes certain obligations to the citizens as much as the citizens owe certain duties to the state. However, it is through governance that the will of the state is expressed and realised. The public service is the machinery of government for formulating and implementing policies and programmes in response to the needs of the citizenry. For instance, the maintenance of law and order a well as the protection of lives and property of the people is the primary function of any government. Others include the provision of common services such as health, education, roads and other welfare services (Asogwa, 2010; 51, Laski, 2004;35 & Gauba, 2003;119 & Mazrui and Mazrui, 1997;35). This relationship between the state and the citizens is provided in chapter II, sections 13 – 24 of the Constitution of the Federal Republic of Nigeria as Fundamental Objectives and Directive Principles of State Policy (Federal Republic of Nigeria (FRN), 1999). Therefore, the quality of governance in any state is dependent on how policies are initiated, formulated, legitimated, implemented and evaluated.

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The major objective of this paper is to overview the public policy making process in Nigeria by discussing the stages involved. Specifically the activities and actors (individual, group and institutional) in the policy cycle are identified and their roles explained. The problems of public policy making in Nigeria are identified and recommendations made on how to address them. Pursuant to this, the paper is divided into five sections. The first is introductory while the second attempted to clarify some concepts frequently used in policy discourse. Section three briefly discusses the policy cycle by identifying the stages, as well as the activities and actors in each of the stages. Section four identifies the problems of public policy making in Nigeria while section five concludes the paper.

Conceptual Clarifications

For a better understanding of the public policy making process, it is pertinent to acquaint ourselves with certain interrelated and interdependent concepts often used in policy discourse. These are the concepts of public interest, public problem, public policy and public policy analysis.

Public Interest and Public Problem

Governments justify their decisions and actions on the bases that they are in the public interest. It is also generally believed that government ought to promote public interest. What then, is the public interest? Public interest refers to public good, values that are for the good of the general public and are made with the welfare of society in mind (Sambo, 1992: 284 - 285). Public interest therefore, refers to the values of the society, what the people cherish or hold dear and which they want the government to protect and promote. Examples include, security, law and order, healthy life, safe environment etc.

Olaniyi (1998: 28) reiterates the view of Smith (1964) on policy problem who defined it as a condition which generates a human need, deprivation or dissatisfaction, self-identified or identified by others for which relief is sought. Using this definition, common public problems in Nigeria include insecurity, corruption, drug addiction, flood disasters, inadequate and irregular electricity supply etc. Thus, public interest and problem represent the two sides of the same coin. While public interest refers to the values or needs of the citizenry which they want the government to protect and promote, public problem arises when the public interest is in jeopardy.

Public Policy and Public Policy Analysis

Sambo (1999, 283) and Sapru (2004,5) espouse the view of Dye (1997) who defines public policy as "whatever governments choose to do or not to do" in reaction to perceived public problems. Berrett and Fudge (1981) cited in Olaniyi (1998, 15 – 17) assert that public policy emanates from the public sector including both the institutions of Federal, State and Local Governments and their Ministries, Departments and Agencies (MDAs). This definition points to the fact that public policies are made by governmental authorities. However, public policies can be implemented through and directed at a variety of individuals and organisations which may or may not be part of the state apparatus, and which may to a greater or lesser extent be independent of state control. In essence, public policy, according to Anderson (1975) as reiterated by Sambo (1999, 283) is:

> Purposive or goal-oriented action rather than random or chance behaviour; consists of courses of action by governmental officials; what governments actually do, not what they intend to do or say they are going to do; involve some form of overt government action to effect a particular problem; and also involves a decision by government officials not to take action, to do nothing as some matter on which government involvement is sought, and it is authoritative. Public policy analysis on the other hand according to Chandler and Plano (1988) as quoted by Olaniyi (1998, 17) "is a systematic and data based alternative to intuitive judgements about the effects of policy or policy actions." Dye (1997) as espoused by Sapru (2004, 8) describes policy analysis as the "thinking man's response." He observes that policy analysis has three basic concerns. Policy analysis: Involves a rigorous search for the causes and consequences of public policies through the use of the tools of systematic inquiry. It also involves an effort to develop and test general propositions about the causes and consequences of the public policies; and is concerned with explanation of policy rather than prescription of policy.

As comprehensive as Sambos's (1999) operational definition is, it fails to include the involvement of the private sector. This is because, as stated by Berret and Fudge (1981) public policies can be implemented through and directed at non-governmental actors. To remedy this, the definition can be modified as purposive courses or action by any level of government and its officials acting through its MDAs or private sector to decide to take or not to take authoritative action in response to perceived public problems. Some of the public policies in Nigeria include; the Monetisation Policy, the National Health Insurance Scheme, the Privatisation Policy, National Gender Policy and Educational Policies among others.

While public policy is a problem solving activity by governments and their MDAs, committing resources aimed at ameliorating public problems in the public interest, policy analysis is a scientific approach to the study of public policy. In other words, while public policy is a system of action, public policy analysis is a systematic field of study. It is concerned with determining the causes and consequences of public policy. It is significant as it increases the capacity to generate and present pertinent information in such a way as to improve the basis for policy makers to exercise judgement in the choice of policy alternatives.

Public Policy Making Cycle

Policy making involves so many aspects, so many players, and so many issues and therefore, difficult to grasp as a single phenomenon (Shafritz, Russel and Borick, 2011: 46). Public policy making is a continual process of identifying problems, formulating governmental responses or policies, organising administrative mechanisms for carrying out the policies, and evaluating the extent to which policy objectives are achieved (Bryner, 2007). This definition identifies the stages of the policy cycle as problem identification, policy formulation, policy implementation and evaluation. It however, excluded policy legitimating which gives authority and legitimacy to policies (Shfritz, Russel and Borick, 2011: 46). However, Denhardt and Denhart (2009: 50) identify five stages in the policy cycle. These are: agenda setting, policy formulation, policy legitimating, policy implementation and policy evaluation. It is worthy to note that problem identification proceeds agenda setting and so the two, though similar, differ from each other. In addition, not all problems identified get into policy agenda. Furthermore the stages identified overlap and are mutually interactive (Elaigwu, 2005: 26).

Problem Identification and Agenda Setting

The beginning of the public policy making process is marked by government recognition that a public problem exist in the first instance and that remedial action is required to ameliorate the problem. All policies originate from demands made upon public officials and institutions by the other actors, private or official in the political system for action or inaction on some perceived public problems (Sambo, 1999: 286). This involves the determination of the nature and dimension of the problem and drawing government attention to the public problem by placing it on policy agenda. Agenda setting refers to the stage in the policy process where officials attempt to narrow the number of subjects which come to their attention to the set which will actually become the focus of their attention (Sambo, 1999: 298). It is the process by which ideas or issues bubble – up through the various political channels to windup for consideration by a political institution (Shafritz, Russel and Borick, 2011: 46). At this stage, public problems are filtered, certain problems are viewed as needing priority action, whereas others are postponed (Denhardt and Denhardt, 2009: 50).

Policy actors sometimes called policy entrepreneurs are the representatives of the people at the various levels of government (National Assembly, State Houses of Assembly and Local Government Legislative Councils), bureaucrats, scientific community, civil society and advocacy groups. These policy entrepreneur invest personal time, energy, and often money in pursuit of particular policies. They use different tactics such as publicity campaigns, direct contact with decision makers through letters, memos, petitions and delegations. Others include the use of the mass media, lobbying of political parties, and in extreme cases demonstrations and rioting. The Academic Staff Union of Universities (ASUU) had embarked on a six months strike to draw government's attention to the problems in Nigerian universities. The National Association of Electricity Workers embarked on several demonstrations and threatened to embark on strike over government approach to the privatisation of the sector. Workers in the petroleum sector did the same.

Policy Formulation

After a public problem has been identified and placed on policy agenda, what follows is the formulation of the policy. Formulation of public policy involves development of formal policy statements (legislations, executive orders, administrative rules etc) that are viewed as legitimate (Denhardt and Denhardt, 2009: 52). The policy formulation stage is the stage at which the alternatives for dealing with the public problem are developed (Sambo, 1999: 287). It is

the stage where the government or policy actors take decisions as to what is to be done and how it is to be achieved (Olaniyi, 1998: 30).

At this stage, all the key technical and non-technical dimensions are closely scrutinised and assessed. Thus, before proceeding to the next stage, at least, the technical feasibility of the proposed policy is analysed and ascertained. These are: prioritisation of goals of the policy and determination of projects and programmes to be embarked upon to solve the policy problem. Others are the time schedule for each activity and goal as well as the determination of the financial, physical and human resources required. Depending on the scale and complexity of the problem, the policy issue is submitted for careful study either within the bureaucracy or by a hired consultancy group after which recommendations are presented to the executive council (Federal, State or local) for consideration. Policy formulation is usually the responsibility of the executive arm of government especially the political executives. However, the bureaucrats work out the details of the draft proposals.

Policy Legitimation

After a public problem is identified placed on policy agenda of government and policy formulated by the executive, what follows is the process of conferring authority and legitimacy to the policy. Policy legitimation according to Kraft and Furlong (2007) as quoted by Denhardt and Denhardt (2009; 53) is "giving legal force to decisions or justifying policy action." The policy formulated by the executive is usually submitted in the form of a proposed bill to the legislature for consideration and adoption.

In the course of the legislative process, public hearing when organised offer opportunities to interest groups to have input either in support or against the proposed policy. The legislative process also means that once adopted, the proposed policy is likely to enjoy popular support during implementation. Policy legitimation is the responsibility of the legislative arm of governments. That is the National Assembly, State Houses of Assembly and Local Government Legislative Councils at the Federal, State and Local Levels respectively.

Policy Implementation

Public problems identified and policies formulated and legitimated will forever remain elusive without implementation. Policy implementation is therefore, the action part of public administration. "Implementation is the process of putting a government programme into effect". It is the total process

of translating a legal mandate ... into appropriate programme directives and structures that provide services or create goals." (Shafritz, Russel and Borick, 2011: 53).

Similarly, Denhardt and Denhardt (2009, 54) define policy implementation as the set of activities directed toward putting a programme into effect. They reiterate the views of Kratt and Furlong (2007) who identify policy implementation to include organisation, interpretation, and application. Organisation is the use of resources and methods to administer a particular programme. Interpretation refers to the translation of the language of the law into understandable form to the affected parties while application is the routine provision of services, goods, and other agreed upon programme objectives.

From the views of Shafritz, Russel and Borick (2011: 53) as well as Denhardt and Denhardt (2009: 54) policy implementation involves having a clear understanding of the policy legitimated, the creation of an administrative machinery to effect the policy, and the actual fulfilment of the objective of the policy. That is, provision of goods and/or services to ameliorate perceived public problems. In essence, policy implementation involves the translation of policy goals into concrete achievement through various programmes.

During implementation, the executive operating agencies and departments are activated and provided with the wherewithal to enable them translate the adopted policy into desired result. The need to mobilise skilled and experienced personnel and utilise them to execute the projects involved is crucial. There is also the need for close collaboration and consultation among the Ministries, Departments and Agencies (MDAs) concerned especially with the ministry of finance. The close supervision of the MDAs so that project implementation is monitored and reported timely is also very important.

Resenbbloom, Kravchuck and Clerkin (2009: 353) reiterate the view of Drucker (1982) in identifying conditions that are fatal to effective policy implementation. These include lack of clear measurable roads (as with the current Transformation Agenda of President Goodluck of Nigeria which has not stated the specific sectors to be transformed) and several objectives addressed at once, with no clear priorities; as with the seven point agenda of the President Yar'adua of Nigeria. Other problems include policies on a grand scale and assumption that personnel and funds only will solve complex problems; failure to learn from feedback; and inability to abandon policies when they become unnecessary or fail to achieve the desired results. Policy implementation is the major responsibility of the executive arm of the federal, state and local governments through their respective MDAs. However, public

policies can be implemented by a private firm on behalf of the government or through public-private partnership. This is common in highly technical programmes such as space programme and in defence industries. Typical examples include the launching of the country's satellites into orbit in China and Russia in 2007 and 2012 respectively.

Policy Evaluation

After a policy has been implemented what follows is the systematic examination of activities undertaken by the implementing agencies in order to make a determination about their effects, both for the short term and the long-range (Shafritz, Russel and Boricks, 2011, 55). Implementation is concerned with determining the worth or social utility of a policy (Sapru, 2004, 172). Policy evaluation is an assessment of whether the policy that has been implemented has met its goals and objectives (Denhardt and Denhardt, 2009: 54). Policy evaluation differs from monitoring. Monitoring is however, a prerequisite for evaluation. Monitoring is concerned with establishing factual premises about public policies. It is fundamentally about control. Evaluation is retrospective and occurs after actions have been taken. Evaluation is primarily an effort to analyse policy outcomes in terms of some objectives.

Individual scholars and institutions identified different criteria for policy evaluation. These according to Sapru (2004: 173 – 177) are effectiveness, efficiency, adequacy, and equity. Effectiveness refers to whether a given course of action results in the attainment of the out/input ratio of a policy and it is often equated with economic rationality. Adequacy ascertains whether a given level of effectiveness results in the satisfaction of needs while equity is concerned with whether the costs and benefits of a given policy are evenly distributed among the contending groups. The operations and Evaluation Department of the World Bank added relevance and sustainability criteria according to Huther and Shah (2000).

The United States General Accounting Office (GAO) (1998), identifies four types of evaluation. These are: process evaluation, outcome evaluation, impact evaluation and cost-benefit and cost-effectiveness analysis. In evaluating a policy, it is desirable to take a more comprehensive approach for reliable results. However, the criteria chosen should be within the competence of the evaluating agency. The evaluation of a policy can be undertaken either by the operating staff of the MDAs or by MDAs. It could also be by the relevant committees of the legislature through oversight functions or by a public commission of inquiry. Whoever the actors may be, policy evaluation requires a lot of sincerity and competence.

Problems of Public Policy Making in Nigeria

The problems of public policy making in Nigeria like any other developing country are many and varied. These range from dearth of accurate and reliable data, policy inconsistencies and executive incapacity. Others include the problem of elusive value system, corruption and apathy on the part of the citizenry (Sapru 2004: Sambo 1999 and Olaniyi 1998).

Sound and effective policy making requires adequate and reliable information. However, more often than not, information coming to the desk of policy makers are often falsified (Olaniyi, 1998). Adequate and reliable health statistics, educational statistics and statistic on macroeconomic variables remain unreliable. Both the Nigerian National Petroleum Corporation (NNPC), the Central Bank of Nigeria (CBN) and the Ministry of Finance differed on the amount of money paid as subsidy on the import of petrol in 2011 in Nigeria (2012: 22-28)

During the long era of military rule in Nigeria, every regime change is followed by policy reversals. Even with the return to democratic governance and same political party in power, the incumbents usually discontinue the policies of their predecessors. Typical examples include the sales of the Kaduna, and Port Hacourt refineries in the twilight of Obasanjo regime and the reversal of the deal by his successor, late Umaru Musa Yar Adua immediately he assumed office. Likewise the Seven – Point Agenda of late Umar Musa Yar'Adua was discontinued for Transformation Agenda by his successor and former vice president Dr Goodluck Jonathan. The situation at the state and local government levels is not better either.

The implementation of policies and programmes require technically competent and professionally oriented civil service. However, almost all cadres of the Nigerian civil service have large number of staff who are either trained in the wrong courses or are products of marginal institutions. Yet, the majority were employed based on patronage rather than merit. These personnel also receive little or no further training to acquaint them with the dynamics of the service. State and local government services are however overstaffed with cleaners, messengers, drivers and revenue collectors.

Public policies are required to reflect the values of the society. However, in a heterogeneous society like Nigeria, a Nigerian value system is yet to emerge. Rather, diverse ethnic and religious values dominate the Nigerian value. Therefore, stakeholders in policy making assume that analysis undertaken by other participants cannot adequately serve their interest. An example is the

introduction of Islamic Banking which was vehemently opposed by the Christian Association of Nigeria (CAN).

Many anti-corruption agencies have been established in Nigeria through enabling laws sequel to the return to democratic governance in 1999. These include the Independent Corrupt Practices and Other Related Offences Commission (ICPC) through the ICPC Act, 2000 and the Economic and Financial Crimes Commission (EFCC) established by the EFCC Act, 2004. Others include the Fiscal Responsibility Act 2007, the Public Procurement Act 2007 and the Nigeria Extractive Industry Transparency Initiative (NEITI) Act 2007. In spite of these efforts, Nigeria's Corruption Perceptions Index (CPI) according to Transparency International still remains low. The CPI for the country was 2.7 in 2008 only to slip back to 2.5 in 2009 and further to 2.4 in 2010 and 2011. Committee of the House of Representatives to probe the alleged subsidy scandal ended up in another scandal as the committee overseeing the affairs of the Securities and Exchange Commission (SEC) was also alleged to have demanded and received bribes from the Director-General of the Commission. If public policy is to be in the public interest, then their participation in the process are significant. However, majority of Nigerians do not have much interest in policy issues either due to lack of awareness or mistrust in the institutions of governance.

Summary

Public policies are aimed at ameliorating public problems and in the public interest. The systematic study of public policy is imperative in order to extend the frontier of our knowledge and improve on the quality of our policies thus the need for policy analyses. The public policy making process is an endless process consisting of interdependent and interrelated activities as well as interaction among individual, group and institutional actors in the policy process.

Public policy making in Nigeria suffers from dearth of adequate and reliable policy information, policy discontinuities, and executive incapacity. Others include the elusive value system of the country, corruption and apathy on the part of the citizenry. In order to ameliorate these problems the Department of Policy Research should be established in all the MDAs at all levels of government in Nigeria. Strong political will and commitment is required to ensure the continuation of laudable policies. Again civil servant should be engaged in periodic training in order to enable them cope with the dynamics of the service. Societal value orientation should be enshrined for a successful

fight against corruption. Continuous mass mobilisation and integration is also required for mass participation in public policy making in Nigeria.

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