

PUBLIC POLICY AND CORPORATE GOVERNANCE IN NIGERIA: A THEORETICAL DISCOURSE.

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Abstract

This article examines public policy and its relevance to corporate governance in Nigeria. The chief aim is to assess public policy and corporate governance in Nigeria, adopting key conceptual and theoretical issues as the focus of analysis. The paper concludes that public policy represents the mechanism and driver of people's welfare, equity, transparent, and accountable leadership that determines good governance, but if good public policy cannot be guaranteed, it will affect corporate governance negatively in Nigeria. The article recommends that mass participation and consultative process in decision making would help good public policy and corporate governance when put into consideration.

Keywords: public policy, governance, development, democracy, transparency.

Citation: Adepoju, B. M., Musari A. A., Fasasi A. W. & Azeez, A. L. (2023). Public Policy and Corporate Governance in Nigeria: A Theoretical Discourse. *International Journal of Management Leadership and Productivity Development (IJMLPD)*, 1(1), 164-172

INTRODUCTION

In the last few decades, public policy has become more decisive, and the governments keep trying to change the existing public policy to suit present-day situation. No doubt, public policy and its processes (policy making and implementation) stand for a fundamental aspect of government, governance, and the activities of non-governmental institutions and groups. This affirmation is settled by Sambo (1999: 282) when he asserts that human conduct is administered by the policy because there would always be one policy regulating the behavior of persons at the individual level, society, and/or organization, categorized as private and public policies. While private policy is narrow and restricted in scope, public policy is wide and covers the interest of a large population of people. The importance of public policy decisions in economic growth and development which is the essence of good governance is not in doubt. In situating the assertion, the former Prime Minister of Britain, Margaret Thatcher (cit. Mills 2014: 1) asserts that it is impossible to enjoy the fruits of effort without first making the effort. The reasoning of this statement is that without good policies and effective implementation, the likelihood of failure of government and governance is very high as it appears in many African countries including Nigeria. The references to Margaret Thatcher's statement and Mill's perspective argue that good public policy is significant for effective governance and development. While these references serve as sensible insight that could be explored to provide good governance in Nigeria.

However, failure of government to make good policy can endanger socio-economic development in Nigeria. Mills (2014) pointing out the importance of public policy decisions further stressed that the main reason countries in Africa are poor is because leaders in these countries chose to be poor because they waver in public policy processes and several negative factors affect the processes of public policy.

In Nigeria, the history of public policy represents a narrative of governance and the overall conditions of the country in the sense that the dynamics and inconsistencies of statehood from colonialism to independence in 1960; the succeeding military regimes and civilian administrations have influenced and continue to impact negatively on the nature of public policies; the implementation processes and effects on the overall development of the Nigerian state.

The section addressing peace, political stability, and democratic practices introduces an important dimension to the discussion. The assertion about nations benefitting from perceived democratic practices presents a thought-provoking perspective. Financial motivations intertwine with governance could be beneficial to enhance good governance and promote development in Nigeria.

Their interest is connected with the gain attached to democratic practice by the world powers and powerful organization in the areas of aid, assistance among other benefits. This is why nations derive joy from claiming to be democratic, even apparently non-democratic countries admitting to be democratic republics (Kolawole, 2017). In addition to the above is the fact that for a nation to achieve sustainable prosperity in the areas of economic growth and social development, such a nation must be up to the task of making strategic decisions about resource control and allocation, on one hand, and efficient utilisation and investment of such resources, on the other hand. The lack of these strategic decisions and planning in the administration of many developing countries necessitates the quest for good governance in nations across the world. In view of the preceding, the study analyses the matching concept of governance and good governance; assesses the nature of governance offered by the nation's leaders; and analyses the effects of the governance pattern on the national peace, stability and development. Apparently, in Nigeria, politics and occupying government position is a route to personal riches. The consequence of this governance deficit is the manifestation of poor public policy processes.

Conceptual and Theoretical Issues: Public Policy and Good Governance

The discussion of public policy and good governance in Nigeria has never been short of theoretical explanations and would be better situated using multi-skilling theoretical perspectives. The elite-rational choice, pluralist interest group theory and good governance theories are used to explain the thrust of this discourse. This is because these theories help to understand the essentials of public policy and the roles of elites in public policy and governance in Nigeria. The pluralist-interest group theory captures the practice of public policy in Nigeria in that there are several groups (ethno-religious, social, political, and economic) with various differing interests that are competing for the control and influence of policies of the government. Within the context and perspectives of these theories, public policy is defined as a mechanism and the driver of people's welfare; equity, transparent and accountable leadership, and development especially as ideal features of good governance. And, the main purpose is to look at the connection between public policy and governance; the factors affecting public policy and to assess the effectiveness and efficiency of public policy and governance in Nigeria. To that extent, these theories are used to assess the character of and factors that condition public policy and governance in Nigeria.

In contemporary political systems, public policy processes – conception, formulation, and implementation – represent the fundamental process of governance and development. This is because it serves as the legal, political, and administrative context in which functionaries of government including the organs and institutions of governance relate with the non-government actors to

synthesize ideas relating to the mechanism of satisfying the demands, needs, and aspirations of the people (Obo et al. 2014: 85; Jega 2003: 19). Public policy is not just an intention, goal, or objective; not just about a group of, or related decisions regarding a particular policy but physical patterns of resource allocation based on people's needs and for their good. Of which the principles should be efficiency, effectiveness and responsiveness, consensus and adequate participation of the majority of the people, and transparent and accountable process. All of which should be the thrust of governance (Abas 2019: 5; Graham 2014; Ogundiya 2010). This is why Dye (1995) defined public policy as what governments do, why they do it, and the difference it makes. In this case, public policy is at the core of governance and decision-making. It represents the interconnected system, actions, and programs set by the government and the structures put in place to direct its programs and to achieve them (Ikelegbe, 2006). This way, public policy depicts what the government does with a view to meeting the needs, desires, and hankering of the people. Therefore, public policy represents the core of government actions and the overall governance of the state. In theorizing public policy, several perspectives suffice of which we find the elite theory advanced by Gaetano Mosca (1848–1923), Jose Ortega Gasset (1883–1955), and Roberto Michels (1876–1936). Vilfredo Pareto (1848–1923) believed that every society is ruled by the minority that possesses the qualities necessary for ascension to full social and political power and also emphasis the circulation of elites (Varma, 1985: 143). The theory also queries the view that pluralism has inherent means of ensuring equity in power-sharing and the exercise of influence.

According to this position, a public policy largely mirrors the image of the ruling elite's preference and interests (Dlakwa, 2008; Phillip and Peter, 2013). The usually few economic, political, and religious elites significantly influence public policy. This is because they are usually highly organized and possess the instrumentality of government/state which they use to promote their pecuniary needs. In this case, their interests largely constitute public policy and directions of governance, for instance in Nigeria where elites have seemingly personalized state institutions. In Nigeria, governing and non-governing elites are at the centers of all government decisions and actions which they use to dignify and elevate their status. These elites are often able to do this because they are privileged, skillful, wealthy, intelligent, and cunning, thereby conferring on them the opportunity of leadership. Therefore, it can be deduced that policies that are not in tune with the interests of these elites are likely to fail and/or often fail. The policy-planning network of the elites holds the majority of power and the power is independent of the country's democratic election process thereby creating bourgeoisie proletariat society-a stratified top-down relations (few top and mass down) (Dlakwa, 2008; Olowu, 1997). Elites often display a sense of nobleness oblige thereby manipulating the citizen with acts of philanthropy. Therefore, philanthropy then assumes an instrument to reduce the threat that people's affective policy demands could pose to their interests and position. This is why in Nigeria the people continue to praise these elites.

The Elite-Rational Theory

Advanced by George Homans, 1963; William Jevron and Gary Becker, 1988, are of the view that individuals in the society often make prudent logical decisions and the decisions provide greatest benefit and satisfaction given the choices available and equally in their highest self-interest. Integrating the elite and the rational perspective-elite-rational choice theory gives a clear view of how the powerful bourgeoisie who as stated earlier have a strong influence in public policy processes do so for the

purpose of realizing their personal interest by using their strong political influences in dictating the direction of policy in most cases to the disadvantage of the masses. The elite-rational theory is not considered suitable for good governance in Nigeria as only the few benefit from government but good governance theory which is explained below is better and can guarantee good public policy making in Nigeria. This is the scenario in public policy processes in Nigeria and has been a major problem connecting the nexus of public policy and good governance as public policy does not usually depict an agenda for the majority of the people. Conclusively, a good view of the functionality of the plurality interest group and the elite-rational choice theory in the country's public policy will reflect a practical picture of several powerful elites along with tribal, ethnic, and religious groups whose often conflicting interests have great impacts on public policy and succeeding governments often try to incorporate into public policy. Also, anytime the government internalizes the interest of the people irrespective of their ethnic and religious leaning into public policy, implementing such policies becomes a problem because they are not often in the line of interest of the powerful elites.

Pluralist Interest Group Theory

The theoretical point of view held by many social scientists which holds that American politics is best understood through the generalization that power is relatively broadly (though unequally) distributed among many more or less organized interest groups in society that compete with one another to control public policy, with some groups tending to dominate in one or two issue areas or arenas of struggle while other groups and interests tend to dominate in other issue areas or arenas of struggle. There tends to be little overlap between those leaders who participate most influentially in one policy area and those who are influential in other policy areas, and what linkage there is tends to come from popularly elected political officials (especially political executives and party leaders) who, by the nature of their jobs, must exercise leadership (or act as brokers) in a number of different policy areas. There is no single, unified "*power elite*", but rather there are many competing power elites with differing backgrounds, values and bases of support in the broader society. Government tends to be depicted as a mechanism for mediating and compromising a constantly shifting balance between group interests rather than as an active innovator or imposer of policies upon society.

Good Governance Theory

The analysis revolve around on the theory of good governance, and it will be defined to create a basic knowledge of the concept. The theories of development have been changing from handling with economic growth to poverty reduction and human welfare. It is believed that political and social aspects were not taken into consideration together with the economic aspects. In modernization theory, development is preoccupied about the process of transforming traditional societies into rich and modern societies. Therefore, the theories and approaches emphasized on democracy, equality, redistribution, gender, participation, and empowerment that have emerged (Degnbol-Martinussen, 2004) Apparently, this good governance concept has been promoted by many international agencies like the United Nations (UN), International Monetary Fund (IMF), United Nations Development Programme (UNDP), and most Western government. The poor governance was said to be the reason for the poor development, which opened for the promotion of political development and the good governance agenda.

In the last decades, good governance becomes one of the most pressing necessities for the

underdeveloped and developing countries in Asia, Africa, and Latin America as a condition for international assistance and funding (Farazmand 2004). Therefore, the concept of good governance has been faulted by a number of leaders from underdeveloped and developing countries. They believe that the impression of good governance is an imperialistic and modern colonizing concept that decreases the size of public administration and expands the private business sector through privatization. It is felt that this good governance concept paving the way of globalization capitalist corporation in searching high profit by dominating the business in developing and underdeveloped countries.

However, governance can be defined in various ways and secondly good is rather subjective. In fact, everyone wants good governance, but what is meant by the concept requires further elaboration. The implementation of good governance first and foremost depends on how governance is defined because it determines the area of operation. The understanding of governance changes from being a matter relating only to government to including something additional within politics, being public policies, institutions, a system of economic relationships, or nongovernmental bodies (Smith 2007). Governance perceived as government focuses on the management of the public sector and the legal and administrative capacity, whereas governance including politics focuses on: The way power and authority are exercised; the management of a country's affairs; the relationships between rulers and the ruled; how conflict is resolved; how interests are articulated and rights exercised; and so on. (Smith 2007) The Danish International Development Agency (DANIDA) operates with the broad approach to governance in its strategy for good governance, thus including elements within politics. The main focus is placed on the public sector in ensuring good governance, but DANIDA recognizes the importance of civil society groups and other non-state actors in holding the public sector accountable and in advocating needs and priorities (DANIDA 2007). Thus, DANIDA has defined governance as government plus non-governmental bodies. The exact definition of good governance employed is the following: The transparent and accountable management of human, natural, economic and financial resources for the purpose of equitable and sustainable development, in the context of a political and institutional environment that upholds human rights, democratic principles and the rule of law. (DANIDA 2007).

Moreover, good governance theory is reflecting the interest of the social science community in a shifting pattern in styles of governing (Stoker, 1998). Since 1980, the theory of governance has been used to describe the change in political process of Western society (Toikka, 2011). In fact, governance was traditionally defined as government. Government is referring to the formal institutions of the states and their monopoly of legitimate coercive power. Government is characterized by its ability to make decision and its capacity to enforce them. In particular government is understood referring to the formal and institutional processes which operate at the level of the nation state to maintain public order and facilitate collective action (Stoker, 1998). The contemporary theories on governance make a fundamental distinction between governance and government. However, the concept of governance has covered more broad issues when compared with the government concept. The different concepts of both theories have grabbed the attention of plenty scholars to study the reason of the shift of governing styles. In fact, governments have the formal authority to act which have powers to enforce compliance with their activities, rules, and policies. Therefore, actors do not have the accessibility to interfere with the policy developed.

In contrast, the governance concept has emphasized the partnership with all stakeholders in order to empower them and give them equal access to development and decision processes. Hence, the power of decision-making and development is not limited to formal authorities and institutions. What is meant by good is thus that governance enjoys transparency, accountability, ensuring equity and sustainable development and respecting human rights, and democratic principles. This implies the complexity of good governance concept in policy implementation. However, the main objective of good governance is to heighten public policy administration in wide perspectives.

Challenges of Public Policy and Governance in Nigeria

The narrative of public policy in Nigeria shows that the country has never been bereft of policies as several socio-economic and political policies that would have transformed the country to development have been formulated. However, these policies at every stage are hampered by numerous problems. In many instances, even when good policy intentions are made and drawn, the implementation stages have often been faced with problems. For example, the social insurance in summarizing the fundamental problems of public policy in Nigeria, Jega, (2003: 30) submits that the narrative of public policy in the country has often reflected lack of the fundamentals of good governance, such as, open; inclusive, and transparent process, including the required consultation and citizens participation. While in other climes particularly the developed societies, political leaders initiate and adopt policies that reflect an encompassing national interest, the Nigerian constitution lacks national solidarity and has a high degree of ethnic fragmentation which further encourages conflicts among the highly diverse groups that make up the country, each pursuing narrow and parochial group interests. Joseph, (1999) echoed by Fukuyama, (2014: 223) labels Nigeria pre-prandial, involving a fatal mixture of rent-seeking, clientelism, and leadership problem caused by ethnic divisions, opportunism and lack of ideology is something to write home about. Also, governance in Nigeria has been in the hands of predatory political class/elites whose concern is the struggle for power and the consolidation of power through alignment and realignment without minding or considering the masses. These political classes lack ideology and political parties through which they get to power also lack ideology. No doubt, the challenges of leadership that are divided long ethnic groups coupled with the political culture of opportunism that takes precedence over principle and ideology has been the base for public policy and governance in Nigeria.

In many instances when succeeding governments in Nigeria make policies that ordinarily are required for good governance, they reflect misplaced priority; not public but private made to satisfy their self-interest of the political elites and their cronies as against the demands of the people, therefore, the policies do not enjoy public support. This quality of leadership has been the key explanation for public policy lacking the capacity to uplift the people. Even at the international stage, Nigerian leaders have failed to put in place policies to facilitate trade which could facilitate appropriate development strategy in the flat world of globalization. The lack of effective policy processes has undermined the unprecedented opportunities for growth and development, hence, a failure of governance. For instance, policy failure has been the bane of the oil sector. With the huge oil wealth and revenue over the past 40 years, Nigeria poverty rate and unemployment of the youth continue to increase (Mills, 2014: 2). The fundamental issues of a large number and duplication of agencies established to implement public policies, poor and/or lack of coordination, and poor policy decisions have been the problems of policy implementation in Nigeria. Also, lack of discipline in the public policy processes

often compounded by divisive politics often act as constraints to public policy.

This is further complicated by the seeming lack of functional enforcement mechanisms of policies. Also, the abuse of power and personalization of the functions and powers of institutions by political elites are clogs in the success of public policy processes and governance in Nigeria (Sambo, 1999: 306; Makinde 2005). It is no news that corruption in all its variants – administrative/ professional, economic/commercial bureaucratic, political – has always been the *raison d'être* of policies and projects in Nigeria (Adeyeye 2011a, b: 197; Bevan et al. 1999; Aluko 2006). For instance, fundamental reasons given for the policy on privatization of a number of government owned enterprises and the deregulation of state activities in these sectors was the need for improvement in the efficiency and their effectiveness in providing public goods and services essentially caused by corruption and its consequences of corruption. It was for this reason that led to the privatization and deregulation policies between 1999 and 2006, when about 116 enterprises were privatized, including various loss-making government enterprises operating in industries such as aluminum, telecommunications, petrochemical, insurance, and hotel.

A major component of the privatization program was the unbundling of the Power Holding Company of Nigeria (PHCN) into 18 companies responsible for power generation, transmission, and distribution. However, whether the policies privatization and deregulation achieved the desired objectives of providing public utilities such as power is another subject of debate as the people still groan in darkness. Bribery and kickback are common phenomena and have impacted negatively on the policies and consequently on governance in Nigeria. For instance, major projects, such as large import-substituting industrial projects, protected behind tariff walls usually gives more scope for kickbacks often used for personal reward and as perquisites for political patronage and loyalty. No doubt, the corruption index for instance in the past decade affirm the level of corruption in Nigeria. For example, in 2011, Nigeria was ranked 143rd most corrupt country out of 148 countries, 2012 it was ranked 139th out of 178 countries in 2013, 144th in 2014 and has since been at the top of the corruption index (Adeyeye 2011a, b; Folarin 2014). Perhaps, this is why in situating the problem of corruption, Henley, (2015: 3) states that since the 1960s, corruption and a notorious lack of good governance have characterized Nigeria.

Chabal and Daloz (1999 and Chabal, 2009) also identified rent-seeking-neo-patrimonialism; a situation of fusing public and private spheres in which patron-client relations structure political behavior as a problem of governance which subsequently reflects in policy processes and economic stagnation in Nigeria. While leaders in the country take ruinous, self-interested policy decisions, the bottom-up pressure on leadership has also been very low to the extent that they (leaders) are allowed to get away with their acts (Mills, 2014: 14). There has been little pressure from the people on their leaders to make better people-oriented policies. Another fundamental issue in the public policy in Nigeria is the issue of weak and poor public process design, conception, and discipline. Planning is very fundamental to any process including public policy stages from formulation to implementation. To that extent designing the methods and modes of public policy from the formulation to implementation is important as making wrong policy choices can pose a problem to the effectiveness of policies especially at the implementation stage.

This is because the equipment, instrument, technology, method of knowledge, and modes of delivery

used are fundamental to the success of policy (Ikelegbe, 2006: 183; Paki and Ebienna, 2011: 7). In Nigeria, these issues are not often given the attention it deserves particularly in the implementation process, therefore, public policies in Nigeria do not reflect a clearcut mechanism for policy implementation. An example of this is the Truth and Reconciliation Commission, the Human Rights Violation Investigation Commission (HRVIC) (Opota Panel of Enquiry) instituted by the Olusegun Obasanjo government in 1999 for the purpose of the recovery of truth during the military regimes. Expectedly, the commission did not achieve its objective because of the problems such as the timing, scope, authority, representation, budget, and ill-defined objective (Hayner 1994; Okafor 2003: 2). Also, very worrisome is the lack of consideration for thorough public policy planning, quick fix and expedient nature of policy, and poor administrative procedure, institutional failure, near total lack of ethical and legal consideration. For example, the issue of poor planning can be pointed out as reflected in the promise of the government to fight poverty through the introduction of a cash transfer scheme, called Rapid Response Register (RRR) as part of the Economic Sustainability Plan (ESP) and the National Social Protection Policy. However, the objective of the policy to create a comprehensive social security for the poor and the vulnerable and the pledge to lift 100 million people out of poverty implementation has seemingly begun to fail from the start due to poor planning. This is evident in the statements made by the country's former Vice President, Prof. Yemi Osinbajo at the flag-off of the RRR in Abuja, that funding the program is a constraint and that the money required would be sourced for.

Despite stating that as of December 2020, 24.3 million Nigerian (about 5.7 million household) has been registered into the National Social Register (Channel TV News, Tuesday, 19th January 2021), the required fund is still not available, therefore the likely prognosis is that the policy may not achieve its objective and the implementation may fail due to lack of fund which can be attributed to poor planning. Conclusively, the squandering of national riches and debt accumulation, dependency culture, destruction of domestic industry, unrealistic and unrealizable public policy ambitions and goals, lack of adequate consideration for public opinion, corruption, poor leadership elite manipulation, and ethnic and religious factors, are commonplace in public policy and governance in Nigeria.

Conclusion and Recommendation

This paper posits that the narration of public policy in Nigeria is a story of governance and vice versa. This is affirmed from the commitment that, if taken that public policy represents the mechanism and driver of people's welfare; equity, transparent and accountable leadership, and development. Therefore, the failure of public policy as in Nigeria has been the failure of governance and a failure of governance is a reflection of poor public policy. The inability of governments to implement policies for the purpose of providing for the people as provided in the constitution, misplaced priority, corruption, lack of political will, poor policy design and implementation, elite manipulation, and conflicts of interest among the several ethno-religious and different groups comprising many tribes are issues discussed as posing negative tales on public policy and by extension governance in Nigeria. In order to change the situation and to have an effective and efficient public policy and good governance, the leadership of the country must make policy choices informed by popular needs rather than self-interests; improve transparency and accountability in public policy processes.

Public policy choices should be based on the consideration of the number of people that can be reached and derivable benefits in economic terms and emphasis should be placed on the quality of

policies including the human personnel drivers of the processes. The understanding of the objectives and goals of governance will require that government make policies that give importance to investing in productive capacity. Like other developed states and as advanced by Henley 2015: 148–149), Nigeria should focus on three fundamental principles that emphasize successful, effective, and efficient public policy processes – policy choice, making, and implementation. These are the principles of outreach, or: quality, not quantity, the number of people that directly benefit from the policy.

The second is the principle of meticulous planning as against the urgency with which public policies are made. And, the third is that public policy in Nigeria should be based on consideration for legal principles, administrative procedures, ideological precepts, and ethical considerations other than the quick fix and advantage nature of public policy in Nigeria. It is important to improve transparency and accountability in public policy processes and this can be best achieved when the public are considered during the public policy making by ensuring that their representatives are involved in the process as critical actors. Conclusively, all efforts must be made to make sure that civil society organizations and other non-governmental organizations are involved as actors in public policy making to enhance public access to policy information, or the establishment of oversight mechanisms.

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