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Editorial

OLIVER MTAPURI, BETTY C MUBANGIZI AND SIMAO NHAMBI

"The lizard that jumped from the high Iroko tree to the ground said he would praise himself if no one else did."

Chinua Achebe

The mark of a great nation is in the way its citizens feel safe and unencumbered in their pursuit of sustainable livelihoods and in becoming self-respecting, self-reliant and self-determining. The greatness of a nation also lies in the way it treats its vulnerable citizens – notably the poor, the young and the elderly as well as in its pursuit, advancement and protection of human rights. A lot of this is dependent on a nation's institutions of governance, its legislation, its processes and its policies. More significantly, however a lot depends on the implementation of these policies as well as the enforcement of legislation without prejudice. Numerous strategies have been advanced including, but not limited to, decentralisation, e-government, partnerships with international bodies and appropriate monitoring and evaluation of government programmes. In this issue of the African Journal of Governance and Development, authors from across the African continent reflect on a few of these significant systems and processes.

Oni and Faluyi examine the restructuring debate in contemporary Nigeria within the context of the legacies of military regimes on Nigeria's federal system. The authors argue that good governance and development can only be attained when the present lopsided federal arrangement is redesigned to allow for power devolution in such a manner that makes both the national and sub-national governments 'independent and coordinate' in the true sense of it. **Oni and Faluyi** add that the accompanying financial revenues should be devolved to subnational governments thereby empowering them to provide development infrastructure in their respective jurisdictions since they are closer to the people than the government which is located aloof at the centre.

It is not only through restructuring of government, federalism or decentralisation that promote good governance and smoothens relationships between the government and the citizens that are governed. As governments endeavour to deliver effective and efficient services to the citizenry, new strategies have evolved particularly due to advances in information technology systems which have revolutionised the way things are performed. **Azelmad and Nfissi** describe a major eGovernment programme in Morocco - the *Maroc Numeric 2013*. The program aims to transfer the Moroccan public sector from an office-oriented space to citizen-oriented, by putting customers at the center of service delivery. An inter-ministerial committee (CIGOV) was appointed to benchmark and assess this project, which looks at increasing interoperability among ministries, national and local public agencies through the application of integrated systems. This automated

G2C application aims to reduce transaction costs and bribery which result from the direct contact between citizens and local officials. **Azelmad and Nfissi** assert that eGovernment Whole-of-Government Approach is trusted as a solution for bad governance and fragmentation and one that will no doubt accelerate Morocco's social and economic development in the modern information age. The pursuit of social and economic development by countries in the South is sometimes viewed as competition for the control over the resources of countries in the South by those in the North. Is a win-win situation possible? Must the South lose for the North to win? **Tijan** reflects on globalization, the international order and human rights. **Tijan** argues that the countries of the North have strengthened their institutions to absorb the defects of globalization such as polarization of wealth and poverty, increasing terrorism, increasing citizenship gap and inequalities. While countries of the South are at the receiving end of the spectrum. The consequence of this is that these facets of globalization have implications for international order as countries of the North that benefit from globalization would want to maintain the status quo while those in the South who are in a disadvantaged position seek change. **Tijan** concludes by pointing out that a recognition of human rights is a window of opportunity for development and that recognizing the right to development and enabling the realization of the right of all individuals in developing countries should be a policy-priority of all nations.

One area where human rights are often trampled upon is gender and development. Ensuring gender equality and women's empowerment is a desired goal at both national and international levels. The recent sustainable development goals emphasize social inclusion than ever before and highlight goals that are specific to gender equality. Other International treaties and specific National Gender policies and development plans require elimination of discrimination against women in development and removing the gender inequalities through empowering women. Evaluations of government interventions ought to be gender responsive so that gender inequalities and inequities can be unfolded and addressed decisively. As maintained by UN women, gender responsive evaluations enhance gender equality and the empowerment of women. In this regard, **Namara** analyses whether the 2016 process evaluation of Uganda's Universal Primary Education programme undertaken by Uganda's Office of the Prime Minister (OPM) was gender responsive. **Namara's** critical review of the evaluation report shows that OPM did not set out to undertake a gender responsive evaluation though the UPE programme by design was gender responsive. **Namara** suggests that to enhance gender responsive evaluations, the OPM needs to pay keen attention to gender and equity in its evaluation methodology. **Namara** posits that, among others, gender responsive evaluations require that the evaluation team conducts an inclusive stakeholder analysis during the process of determining the sampling frame.

Federalism, Military Legacies and the Restructuring Debate in Contemporary Nigeria

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Abstract

Overtime, federalism has become an attractive and acceptable political arrangement designed to govern multi-ethnic, multi-religious and multi-cultural societies such as Nigeria. It purports to cope with the twin objectives of maintaining unity, and preserving diversities. However, the intervention of the military in the body politic of Nigeria in 1966 disrupted an effective federal structure that brought much prosperity to Nigeria as a nation and its federating units in the country's first republic between 1960 and 1966. This was replaced with a unitary, command and hierarchical structure which wholly define the nature and character of the military organization. Military governance system permeated the entire Nigeria's political fabric, empowered the federal government to become 'Almighty' while it eroded the autonomy of the federating units in all its forms. It is against this background that this paper examines the restructuring debate in contemporary Nigeria within the context of the legacies of military regimes on Nigeria's federal system. The paper argues that good governance and development can only be attained in Nigeria when the present lopsided federal arrangement is redesigned to allow for power devolution and resource control in such manner that makes both the national and sub-national governments 'independent and coordinate' in the true sense of it. The mothodology of research is descriptive while data for the study was collected through secondary source including books, journal articles, newspaper and internet materials, and subjected to critical analysis.

Keywords: Federalism, Military Institution, Absolutization of Power, Autonomy, Restructuring, Nigeria.

Introduction

Federalism in Nigeria has been viewed and discussed in diverse ways (Akinyemi *et.al*, 1979; Adefulu, 1991; Aiyede, 2004; Suberu, 2009; Osaghae, 2015). While some writers have examined it within the context of the financial relationship between the central government and the component parts, some others have discussed it within the perspective of national integration, the role of political parties and ethnicised political leadership in the unification process (Adefulu, 2001: 56). The second scholarly position above robustly explains the raison de'ter of federal practice in Nigeria given the circumstances that surrounded the amalgamation of the Southern and Northern protectorates to form the Nigerian union in 1914. It is indisputable that different entities organized along ethnic, cultural and linguistic cleavages occupied the territory now known as Nigeria before the British colonial adventure in 1861, with each entity having its peculiar socio-economic and political structures. Thus, the architecture of federalism in Nigeria was an attempt to unify the different ethnic divisions that formed the Nigeria union and also preserve their diversities. This much was alluded to by Jinadu (1979, 15) when he instructively noted that federalism is usually viewed as a form of governmental and institutional structure deliberately designed by political 'architects' to cope with the twin but difficult task of maintaining unity while also preserving diversity. Following Adefulu (1993, 7-8), a federation may be conceptualized as a method of unifying separate entities to form a political union and/or a form of governmental arrangement in which there is a constitutional division of power and functions between the centre and the component units.

Arising from the foregoing, the Nigerian federation which arguably started with the balkanization of the country into three regions under the supervision of the Richards constitution of 1946 aimed at preventing the concentration of political powers in one governmental structure namely the central government and encourage maximum economic resource utilization and development competitiveness of the component units (Awopeju, 2016). Arguably, the most significant development potentials of Nigeria sprang during this period. However, the adventure of the military into Nigeria's political space punctured the existing federal system through the unification Decree No 24 of 1966 which structurally changed Nigeria from a federation to a unitary entity. As righlty observed by Adekanye (1987, 9), this is unexpected because the military itself is an institution that is characterized by unity of command, concentration of authority, division of functions and hierarchy of relations. Thus, it is safe to conclude that military institution and federal society are diametrically opposed kinds of political arrangements (Adekanye, 1987).

Successive military constitutions, following the coup de'tat of 1966, continue to dictate political relationship between the central government and the component parts in Nigeria. The current political restructuring debate can therefore be located within attempts at redesigning the lopsided federal arrangement, a legacy of military invlovement in Nigerian politics and governance to reflect a classical federation within which both the national and subnational governments are 'independent and co-ordinate'. Against this backdrop, this paper is divided into six sections. Section one which is the introduction exposes the background of the paper while section two attempts

an overview of Nigeria's federal practice before military intervention. Section three examines the apposite relations between federalism and what the military institution represents while section four analyses the subversion of the 'federal order' and how the military eroded the autonomy of subnational governments. Section five revisits the restructuring debate within the context of the present lopsided federal structure in Nigeria. Section six summarizses and concludes the study.

Overview of Nigeria's Federal System before Military Intervention

Several societies existed in Nigeria's pre colonial era (Agbiboa, 2013). These nationalities were over 250 distinct ethnic groups with diverse traditions, religions, economic and historical experiences (Agbiboa, 2013: 10). There were minimal interactions among these people and they saw themselves brought together as strange bedfellows during the colonial period (Frank and Ukpere, 2013: 481). Nigeria is thus a product of the amalgam of Northern and Southern Protectorates as well as the Colony of Lagos by the British in 1914 (Bappah, 2016: 147). The societies never wanted to come together but the fiat of the British sealed the deal that the colonial territories never wanted sealed (Meredith, 2011: 8; Imhonopi and Onifade, 2013: 77). This amalgamation was not the result of negotiations by the various ethnic groups, hence, the incessant tribal disputes, agitations and complains of marginalization (Odeyemi, 2014: 93). However, for administrative convenience and the need to have each of the major ethnic group domocile in each division, the country was balkanized into three regions (Agbiboa, 2013: 12; Osaghae and Suberu, 2005: 10).

The division of Nigeria into three regions through the 1946 Richards Constitution can be described as the root of federalism in the former British colonial territory but the Lyttleton Constitution of 1954 consolidated federal practice in Nigeria (Nwozor, 2013: 43). In essence, Nigeria emerged a federation in 1954 through a constitutional arrangement consequent upon consideration of the heterogeneity of Nigeria (Omoregie, 2015: 1). Arguably therefore, the need to contain diversities that exist in the political, ethnic and religious spheres necessitated the adoption of a federal system of government (Kirsten, 1996: 500). The regions in existence were the north (predominantly Hausa-Fulani and the region in terms of geographical size was more than half of the entire Nigeria), East (mainly Igbo) and the West (majorly the Yorubas) (Osaghae and Suberu, 2005: 16). However, there existed ethnic minorities in each of these three regions. It was a game of competition among the major ethnic groups and between the major ethnic group in each region and the minorities in such regions. The political parties at this period and shortly after independence including the Northern Peoples Congress in the North; National Council of Nigerians and the Cameroons (later National Council of Nigerian Citizens) in the East and Action Group in the West operated along ethno-regional lines (Ojie and Ewhrudjakpor, 2009: 9). The country at independence practised a parliamentary system of government which ceased to exist with the military take-over of government in January 1966. Absolute powers rested in the military head of State unlike a parliamentary system in which the President exercises ceremonial functions while the Prime Minister exercises executive functions and also where the parliament plays crucial roles in stabilising democracy.

It is important to note that federal practice during this period recognised both the national and regional governments as independent and coordinate and power sharing between them truly reflected this. For instance the federal constitutions of 1960 and 1963 which were products of negotiations by the nationalists of the time including Ahmadu Bello, Obafemi Awolowo and Nnamdi Azikiwe gave governments at the regions considerable autonomy to collect their revenues and paid agreed royalties to the national government (Falae, 2017). Regional governments at the time were federating units with full aparatuses of independent governments. In addition to the federal constitution of Nigeria, each region of the North, West and Eastern Nigeria operated its separate constitution and also appointed its Ambassador in London otherwise known as 'Agent General' so as to differentiate them from Nigeria's High Commissioner in London (Falae, 2017). Based on this arrangement, competition became healthy among the regions, development agenda was premised on need and priority and Nigeria's development potentials were enhanced. However, the military threw away this cooperative federal system and replaced it with an over-centralized political structure that has plunged Nigeria into its present socio-political and economic debacle.

Federalism, Military Institution and the Absolutization of Power

The word "federal" is a derivative from the Latin word *foedus,* which stands for, "covenant" (Aliff, 2015: 71). This connotes that there is an element of diversity and plurality in terms of ethnicity, religion, politics, population and size among different groups that make up this diverse territory and these groups operate in covenant within a geographical sphere (Osaghae and Suberu, 2005: 4). The definition of K.C Wheare in his work *Federal Government* first published in 1946 gave federalism a scholarly recognition (Aliff, 2015). He conceived federalism as "a system of government in which authority is divided between national and regional governments so that each remained, within a sphere, coordinate (i.e. legally co-equal) and independent." (Aliff, 2015: 72). This definition reveals the existence of more than one level of government but in actual fact there may not be absolute independence as a level may depend on another tier to carry out some certain responsibilities with each constitutionally enjoying co-equal legal and independent powers.

Khidasheli (1999: 197) further commented on Wheare's definition and emphasized on the need to have formal institutions, constitutional division of powers, bicameral legislature and multi party system. He went on to espouse federalism as 'a legal manifestation of balanced relations between the powers of the central government and the autonomy of the constituent units'. The foregoing obviously points to the need for the tiers of government to operate with appreciable level of autonomy. However, this position is an aberration of military government because of the command structure of the institution. In reality, a particular tier of government under military regime may erode on the power and responsibilities of other tiers.

An appreciable number of countries practice federalism in the world including United States of America, Switzerland, Canada, Australia, Germany as well as India with established democracy and true constitutional division of authority between among their tiers of government (Fenna, 2007: 298). Moreover, in these countries, the powers given to each level of government in the

Constitution are reflections of a key factor: fiscal prowess (Aliff, 2015: 74). In general, there are 24 subsisting federations and the population of such countries makes about 40% of the world's population (Aliff, 2015: 74). Some federations are very big in terms of land mass (Canada and Australia), some are very small in size and population (Comoros) (Aliff, 2015: 74). The coming on board of federal system of government in different countries took effect at different times and stages in their histories. For instance, in the United States 1789; Switzerland, 1848; that of Canada is 1867; Australia, 1901 and Nigeria is 1954 (Nwozor, 2013: 43; Aliff, 2015: 74). These differences in terms of when federalism was adopted in different countries also emphasises why federal practice in each country is always a reflection of the dynamic socio-political peculiarities of each country. However, there exist characteristics that are similar to federal states. Watts (2001: 28) gave the characteristics of federalism as:

- Existence of minimum of two levels of government that act directly on their populace.
- Ensuring autonomy through the availability and allocation of revenue between the levels of government and constitutional distribution of authority between the executive and legislative arms of government.
- Having input from regions on national policy matters through regional representatives in a central legislative chamber.
- Supremacy of the Constitution which can only be amended by joint efforts of national and sub national legislators or through referendum.
- An apex court that settles disputes between and among the levels of government.
- Existence of procedures and public institutions to engender intergovernmental relations.

Of truth, these features are representatives of Nigeria's federal design through the existence of a federal government, and states and local governments that constitute the subnational governments; fiscal policies; National Assembly; Provisions for Constitutional Amendment in the 1999 Constitution; Supreme Court and agencies such as the Revenue Mobilisation Allocation and Fiscal Commission as well as the presidential liaison officer to the National Assembly. However, they do not guarantee that our federal system is a perfect one.

Federalism is appreciated for its elasticity in containing the copious challenges that have to do with governing people of ethnic, religion and social diversities (Omoregie, 2015: 6). This is why the rationale for the practice of federal system is the formation of a union without jeopardizing the identity of the different groups that form such a union (Ikeji 2011: 122). This also explains why there are at least two levels of government in a federal setting, one represnting the general interest of the nation while the other represents regional interests. Substantiating this, Thorlakson (2003: 4) sees federalism as 'a territorial division of power between at least two autonomous levels of government'. This shows that each level of government has its level of autonomy. In the case of Nigeria, we have the federal, state and local governments (FGN, 1999). The basic question to ask is: how autonomous are these levels of government? A cursory look at the formation of the Nigerian state and the governing of the territory under military rule for long years forms the bedrock to

explain this. A federal state could come to fruition as a result of consensus through elite bargaining or through coercion (McGarry, and O'Leary, 2009: 19). McGarry and O'Leary (2009) further affirmed that the ones formed through coercion experience more upheavals than the ones formed through consensus. That of coercion is formed through external force (especially colonialism) and such is sustained through strong internal fiat. In the case of Nigeria, the coagulation of different unidentical societies to form the state was by British fiat and the post independence take-over of the military have been characterized by application of force which has snowballed into continued subjugation of the subnational units by the government at the centre.

If the merger of the northern and southern protectorates can be excused, it is imperative to examine how the military have usurped powers of the sub national units and ascribed such to the federal government. It is germane to have a look at how a military structure operates and see the ethnic pigments of the Nigerian military, especially during their reign. The Nigerian military is a tripartite force comprising of the Army, Navy and Air force. The military by its constitutional roles is to defend the country, promote territorial integrity and assist the police in cases of internal insurrection (FGN, 1999). These are the major functions of military worldwide of which Nigeria is not an exception. The military operates on a command structure in which instructions are not disobeyed. Instructions given are to be obeyed to the letter by those concerned without an element of complain. However, the military in Africa, Asia and Latin America has stepped beyond its defense responsibility by venturing into politics and governance (McGowan, 2003: 341). Nigeria has equally had its share of military rule. The involvement of the military especially in federal states starves the autonomy expected of sub national units because of the top down way the military operates. In Nigeria, the army has always spear headed military takeover of government, hence, the Head of State or Military President was always an Army General while the Chief of General Staff/Chief of Staff Supreme Headquarters who acted as the Vice-president was always an Army/Naval general.

Abitrarily, the military so much empowers the government at the centre because of its centralized operational proceedure. A scruitiny of how decisions are made during military era will be crucial in explaining the fact that military government and federalism represent two parallel lines that cannot meet. The military incursion into politics in 1966 changed the democratic policy process in Nigeria. The military in its essentials adopts an authoritarian style (Oni, 2014a: 9). The military command usurps the powers of both the legislature and the judiciary in addition to its executive powers. From 1966 to 1985, policy making, fiscal matters and executive authority were vested in the Supreme Military Council (SMC), the Federal Executive Council (FEC) and the National Council of States which comprises of the Head of State, the state military administrators and some selected military officers (Koehn, 1990: 23). The SMC was composed of the Head of State and 24 top ranking military officers while the FEC consisted of the Head of State, some top military officers and federal ministers (Koehn, 1990: 23). The input of the bureaucracy in the policy process between 1967 and 1975 was significant but this drastically nosedived between 1975-1979 and 1984 - 1985 military juntas (Otobo, 1999: 297).

The policy process became more centralized during the Babangida regime (1985 to 1993)

with the abolishment of the SMC and NCS and its replacement with Armed Forces Ruling Council (AFRC) (Koehn, 1990: 25). The AFRC comprised of the Head of State and 19 top military officers (Koehn, 1990: 25). The AFRC was subsequently replaced by the Provisional Ruling Council in the Abacha and Abdulsalam regimes (1993 to 1999). The whole gamut of the military rule in Nigeria reflects the fact that the entire policy phase revolves around the directives of the military Head of State who personalized the state (Olaitan, 1997:106). The military policy documents during this period were conveyed in decrees at federal levels and edicts at state levels.

Military rule in Nigeria is structured in such a way that the military ruler appoints the military administrators that overseered the administration of state governments. Hence, they are on military postings as the military head of state holds the prerogative to repost them at will. Hence, they are at his beck and call and the autonomy of states are whittled because what happens in states are determined by the military council at the center which state military administrators cannot challenge but obey with all diligence.

Notably, in situations where power was devolved to the subnational units with concomitant responsibilies, the government at the centre still controlled the bulk of the finance (Aaron, 2015: 169). Ideally, in federal settings, it is an anathema to have chunk of the power, responsibilities and finance concentrate in one of the levels of government. Federalism connotes devolution of power. The autonomy each level of government possesses is what differentiates federalism from unitary system (Thorlakson, 2003: 4). Hence, federalism is very compatible with liberal democracy. It is ironical that since independence in 1960, Nigeria has practiced its federalism under military governments for about 29 years. Military governments by default operate a central hierarchical system which poses a threat to federal practice.

Military Regimes and the Erosion of Sub-national Governments' Autonomy

Enlistment into the military in the post independence period was characterized by ethno regional rivalry of the regions as the north got half of the recruitment while the east and west shared the remaining half (Bappah, 2016: 148). Although this arrangement was an elite arrangement to promote the quota system and guarantee national representation, a lot of qualified Southern applicants were disqualified on this basis (Bappah, 2016: 148). This was the root of ethnic divide in the military and the reason for the counter coup of 1966 which was seen as an avenue to make a point that the North cannot be rubbished and where mostly Igbo officers were killed. This coup brought about the long reign of military rule in Nigeria. Consequently, the Northern military officers have ruled the country for 90% of the total military reign between 1966 and 1999 (Agbiboa, 2013: 17). Only J.T.U Aguiyi- Ironsi (1966) and Olusegun Obasanjo (1966-79) are southern military leaders, others that have ruled Nigeria from 1966 to 1999 were northerners (Nwozor, 2013: 38).

Military rule globally has gone through three stages. These are direct take-over of government, self succession of military leaders who later retire and continue as civilian presidents and coming

back to become civilian presidents by erstwhile military rulers who left office several years before then. The first stage had been experienced in Nigeria through the 1966 coups and the 1975, 1983, 1985 as well as 1993 coups. African countries like Mali, Uganda and Togo have equally experienced this (McGowan, 2003: 363). The second phase has never taken place in Nigeria but has been experienced in Sudan through the self succession of Omar al Bashir. The third phase has taken place in Nigeria through the reign of Olusegun Obasanjo (military head of state between 1976 and 1979 and civilian President from 1999 to 2007) and Mohammadu Buhari (military head of State from 1983 to 1985 and democratic President from 2015 till date).

Despite the fact that military rule is antithetical to federalism in theory, in practical terms, military incursion into politics has had its positives and negatives on Nigeria's federal system. It is noteworthy that the military was a significant component of Nigerian politics after independence (Adeakin, 2016: 131). The legacies of military governments, the effects they have and how they have affected the practice of federalism deserves interrogation.

Nigeria practiced a federal system since 1954 and this continued till after independence. However, federalism suffered an initial setback after the military take-over of January 15, 1966. A unitary system was adopted by the government of J.T.U Auigyi Ironsi in 1966 and this sudden reverse in the federal journey was actualized through Decree 34 of May 24 1966 (Agbiboa, 2013: 16). This decree changed the status of Nigeria from a federation to a Republic of Nigeria, turned the civil service into a unified system and made appointments into the service based on merit and not quota system (Teniola, 2017a). Brigadier Korubo, one of the members of the Supreme Military Council at that time recounted that Ironsi announced then that he had the plans to appoint military 'prefects' who will be charged with carrying out government policies at regional level (Tenila, 2017b). This was not only a military feature but a puncture to federalism. The Decree was repealed by Yakubu Gowon on August 31, 1966 (Teniola, 2017c). The north felt alienated and saw these actions as Igbo hegemony of the polity. This led to a counter coup by northern military officers in July 1966 and the 30 month civil war between 1967 and 1970 (Suberu 2009: 67).

The Gowon administration made some changes to the federal structure. This is because the civil war started and ended during his regime. The junta made a move to take care of the fractured federal arrangement. The country was changed from regional structure to state structure and this reflected in the creation of 12 states. This was done in a bid to reduce secessionist agitations and reduce the hegemony the four ethnic groups have over the minorities. All state creation exercises (1967, 1976, 1987, 1991 and 1996) in Nigeria have been done under military administrations. The request for state creation in Nigeria is always a political elite request but always under the guise for national integration (Yongo, 2015: 77). State creation exercises are meant to accommodate minority groups and allow groups hitherto deprived of resources to have access to it (Ejobowah, 2000:33). State creation exercises have made glaring the indigene/non indigene dichotomy and have reduced nationhood but increased allegiance to individual states (Eze *et al*., 2015: 113). It is seen as a cow that milks resources for the elites through political appointments at state levels but it has failed to achieve national integration objective (Eze *et al*., 2015: 116).

State creation has made hitherto minorities to assume the position of majority groups in their respective regions and this has led to the existence of new minority groups in such states (Eze *et al.*, 2015: 116). State creation has arguably brought about some level of development to some towns (especially capital cities) and it has also reduced agitations from some quarters. Prior to the adoption of state creation, the regions were financially viable: they depended on agriculture as the mainstay of their economies and they had appreciable level of fiscal autonomy (Ejobowah, 2000: 32). However, the oil boom of the 1970s led to the neglect of agriculture and over dependence on black gold. The surplus increased the over-centralisation of the mineral resources (Osaghae, 2015: 111). The federal government no longer depended much on proceeds from agricultural produce from the regions but now depended on oil (Nwozor, 2013: 45). This made oil the mainstay of the economy constituting over 80% of revenue (Obadina, 1999). This reduced the income of states and weathered their financial autonomy because crude oil exploration was controlled by the government at the centre.

The vertical structure of the military coupled with the fiscal weakness of states weakened the autonomy of the sub national units in inter governmental affairs. The federal government has got not less than 40% of the revenue allocation formula from 1967 till date (Lukpata, 2013: 35-37). The states were fragmented on a continuous basis and the indication is that the meagre amount few states share before become decimated by virtue of creating additional states hence their inability to effectively discharge their roles. There are responsibilities that states could perform that have been taken over by the federal government. These responsibilities come with their revenue generation advantages as well. The juicy functions like resource control have been hijacked by the federal government. Hence, the states have small revenue to take care of its functions. For example, the 1999 Constitution which is a making of the military ascribed 68 responsibilities to the government at the center. Contrarily, the 1960 Constitution allocated 44 of similar responsibilities to the federal government (Kupoluyi, 2017). Nigeria presently has a government at the centre, 36 states and 774 local governments (Agba *et al.*, 2013: 455). Although, the 1994/95 Constitutional conference recommended the existence of six geo political zones, these have never been recognized in the 1999 Constitution but the geographical yardstick is being used for appointment purposes into public offices.

The backdrop of military rule in Nigeria has no doubt affected the autonomy of sub national units especially at the grassroots. The 1976 local government Reforms was a watershed in the local government system in Nigeria. Prior to the reforms, local government matters were responsibilities of the regions as each region operated its system of local government. The coming of board of military in January 1966 led to the dissolution of existing local councils, the appointment of sole administrators and the direct flow of authority from the military government at the center (Wilson, 2013: 139). The federal military government transformed the local government into a unified local government system for the entire country through this reform (Agba *et al*., 2013: 457). The administrative structure was made uniform. The functions of local government now became that which was solely the responsibility of the government at the local level and those shared with other

levels of government. Services like maintenance of conveniences, motor parks among others became the prerogative of the local governments while matters like health and education were shared by the two levels of government (Olowu, 2003: 45).

This reform no doubt gave local governments recognition as third tier level of government as it became involved in the fiscal affairs of the country with statutory allocation and these provisions have been included in the 1979, 1989 and 1999 Constitutions (Akindele et al., 2002: 558). But in actual sense, local governments were not and have not been given political autonomy (Wilson, 2013: 136). One of the major challenges being faced by local governments is that their ability to generate revenue is low compared to the responsibilities they are meant to perform. This is well captured by Akindele et .al (2002: 558) when he noted that 'since the 1976 reforms, however, the councils have been grappling with a plethora of problems, relating, in large measure, to the delimitation of their fiscal jurisdiction and protection of their revenue rights'. Conspicuously, the achievement of the responsibility of providing infrastructure for people at the grassroots is jeopardized (Agba et al., 2013: 455). The fund meant for local governments from the federation account have been a conduit for corruption by state governors. The state/Local government joint account into which the federal allocated funds meant for local governments are domiciled is solely controlled by state governors and they disburse them without recourse to financial guidelines in operating such accounts while only remnants reach the local governments (Agba et al., 2013: 460).

Appointment of sole administrators or care taker committee was the practice during military rule and this has continued till the present Fourth Republic (Wilson, 2013: 139). This has defeated one of the purposes of local governments which is allowing democratic participation of people in government at the grassroots. It has also led to instability and a cog in the wheel of continuity of development at the local level. The military administrators during the military era were on military postings whenever they were sent by the Commander-in-Chief to rule a state. They were equally removed at will by the Head of State. This same structural arrangement has defined local government management since 1999 except on few occassions where elections were conducted into local governments.

The military organized the 1994/95 Constitutional conference. Although the recommendation were not fully considered by subsequent governments after the death of General Sani Abacha but its recommendation on derivation was considered in Section 162(2) of the 1999 Constitution (Federal Government of Nigeria, 1999). Prior to this period the derivation principle inherited by the military had been truncated. The military through the Distributive Pool Account (DPA) Decree No. 13 of 1970 reduced derivation accruing to oil producing states from 50 to 45% (Ejobowah, 2000: 35). Shortly before the creation of seven new states in 1976, Decree No. 6 of 1975 reduced derivation to oil producing states to 20% and this was slashed to 5% and 3% respectively during the Second Republic (1979 to 1983) and the Babangida Administration (Ejobowah, 2000: 36). The implication of this is that the federal government usurped the resources and by extension the revenues accruable to states and this further degraded the autonomy of the states. What worsened the situation was the creation of more states in that the more the state, the less financially

buoyant they became. The 1994/95 Constitutional Conference recommended a 13% derivation benchmark for mineral producing states (Nwozor, 2013: 50). This has been factored into the 1999 Constitution but it has been seen as another domineering tool by the federal government. The federal government shares the remaining proceeds among the three tiers of government. The government at the centre takes the bulk and puts the sub national units at financial disadvantage and obviously less autonomous. These fiscal imbalances have increased mistrust among the ethnic groups and have equally culminated into agitations of different types. The Niger Delta region which produces oil has been experiencing civil protests against environmental degradation and fiscal issues. The inability of subnational units to perform their responsibilities has led to agitations of marginalization and violence in different parts of the country (Aaron, 2015: 173).

Federalism, Nigeria's Fourth Republic and the Re-structuring Debate

The disengagement of the military from politics in 1999 marked the inception of Nigeria's Fourth Republic on 29th May, 1999. Thus, the country returned to a democratic presidential system of government premised on federal arrangement. Though, it has been democratic governance, the country has not been absolved of excessive power arrogation to the federal government and leaving the crumbs of powers to the subnational units. This has created horizontal imbalances between the national government and its component units.

There are events that have brought to question the federal form of the Nigerian state chief among which bothers on fiscal federalism. For instance, the Lagos State government in 2003 created additional 37 local governments in addition to the existing 20 recognized in the 1999 Constitution. Obviously, Section 7 of the 1999 Constitution allows state governments to create local government, the federal government in return refused to dispense the monthly allocation meant for local governments in Lagos State as a result of this. This took long before the Supreme Court ruled that the fund be released. The Obasanjo administration did not release the fund despite court ruling. The fund was finally released after Obasanjo's successor (Umaru Y'adua) came to power in 2007. The creation of local government should not have generated any tension if subnational governments in Nigeria are truly coordinate and independent.

The revenue prowess of the sub national units has remained weak in the fourth Republic. Only the oil producing states and Lagos state have remained relatively viable financially. For example, in terms of internally generated revenue, Delta generated N44.9 billion in 2016, Rivers generated N82.1 billion in 2016 and Lagos generated N301.2 billion in the same year (National Bureau of Statistics, 2017). Most states have low internal revenue generation capacity. For example, Adamawa generated N7.59 billion in 2016, Borno generated N2.52 billion in 2016 and Jigawa generated N3.34 billion in 2016 (NBS, 2017). These financially weak states have had financial crisis especially the challenge of paying staff salaries and pensioners entitlements. Hence, they mostly depend on fund from the federation account which is meagre compared to

the responsibilities placed on them. Sadly, most states have found it extremely difficult to pay staff salaries promptly for over a year now.

At another level, the derivation principle coupled with resource control and environmental degradation matters in the oil producing Niger Delta region is responsible for the emergence and violent acts of militant groups such as the Niger Delta Volunteer Force, Niger Delta Avengers and so on. Youth restiveness in the oil-rich South-south of Nigeria is a response to what they term 'neglect' of the region laying the 'golden egg' that feeds the whole nation. It is not a secret that Nigeria's economy depends largely on proceeds from the sale of crude oil derived from the Niger-Delta area. Yet, the area suffers large scale youth unemployment, environmental degradation as a result of oil spill and the near extinction of agricultural production especially farming and fishing due to oil exploration which consequently renders both old and young unemployed. Worst still, revenues accruable from crude oil are used to finance projects across the nation without comensurate compesation from the oil producing communities and their state governments except for the 13% derivation paid to them and the establishment of the Niger-Delta Development Commisssion set up to implement special projects in the area. However, these forms of compesations are grossly inadequate given the wantom economic loss of the people of the area. Regrettably, revenues from the crude oil have been deployed to address the huge poverty index in the Northern part of Nigeria to the detriment of the oil-rich Niger-Delta thus fueling reactionary protests from emergent ethnic militias. As at 2014, the African Development Bank's (2014: 8) report showed that the prevalence of poverty in Nigeria's North-East was 78% while that of the North-West was 86%. Political observers and writers have argued that high poverty index in the northern part of Nigeria is partly responsible for the emergence and spread of BokoHaram terrorist organization (Ahokegh, 2012; Onapajo *et al*., 2012).

Federal government's hegemony over the states on land planning, environmental matters, security planning, agriculture and finances are some of the factors responsible for the current clash between herdsmen and farmers all over the country. For example, the inability to provide good irrigation system and fresh water for livestock by state governments make the clash between farmers and herdsmen over scarce water resources inevitable (Audu, 2013). Fresh water has become scarce because of draught and pollution (Audu, 2013). State governments are unable to create and sustain farm settlements and establish ranches. One of the factors responsible for this is refusal of the federal government to support laws made by state governments to check the framers herdsmen feud. Most recent cases are laws made by Ekiti and Benue states (Daniel, 2017; Ojomoyela, 2016). Available records show that these herdsmen have killed 630 villagers and farmers in 2015 (Institute of Economics and Peace, 2016: 20).

One of the possible ways to address the myriad of challenges confronting Nigeria's federal system was to convene sovereign national conferences where issues of imbalance and lopsidedness will be discussed. This culminated in the 2005 and 2014 National Political Reforms Conference (NPRC) and National Conference (NC). These conferences were put in place at different challenging times to resolve issues bothering on the unity of the country. The

NPRC generated controversies on matters of fiscal federalism, devolution of powers, rotational presidency among others (Owete, 2014a). The conference came to an abrupt end as a result of the 'walk out' staged by South-South delegates over derivation. Delegates to the conference agreed that derivation on oil revenue to the oil producing states be increased to 25% from 13% but the South-south delegates were uncompromising in their demand for 50% (Owete, ibid) but this was vehemently opposed by northern delegates (Owete, ibid). The 2014 NC recommended that 18 new states should be created, derivation be increased from the present 13% to 17% and revenue allocation should be 42.5% to the federal government, 35% to state governments and 22.5% to local governments (Owete, 2014b). The report of the conference has however not been implemented. The NC also recommended that local governments should no longer be recognised as third their of government but that states can now create many local governments as desired but that the Constitution should place the tenure of Chairmen of local governments at 3 years (Owete, ibid).

The failure of the 2005 and 2014 conferences and even previous ones to address the power imbalance and disunity in the country has further sustained agitations and allegations of marginalisation from different groups as well as secessionist attempts by the South-east. Consequently, within the last one year, there have been renewed calls for 'restructuring' that will see to the implementation of the 2005 and 2014 conferences. Restructuring has implied different things to different groups and people. Some see it as devolving powers so that states are vested with more powers and resources while the federal government is allowed to be in charge of foreign policy, defence and economy (Kupoluyi, 2017). Some political observers see the need to revert to the twelve-state structure of 1967 so that these few states will be viable while some others have relatively different opinions arguing that the state system be abolished and replaced with a six-region structure (Aziken *et al*., 2017). Momodu (2017) interpreted restructuring to mean returning to regional structure of the first republic (1960-1966) and opting out of presidential system because of the high cost of running it and further suggested that parliamentary system be adopted again as practiced in the First Republic.

What the foregoings suggest is that there are no consensus among Nigerians including political elites, religious leaders and socio-cultural organizations on what restructuring actually connotes and represents. There is also the ethnic dimension to the restructuring debate in contemporary Nigeria. While northern Nigeria has termed agitations for restructuring as a southern Nigeria agenda, the southern Nigeria on its part has always perceived the north as anti-restructuring hence sabotouring efforts at reorganising Nigeria in line with its diverse realities. The ethnic debate around restructuring can be understood within the lopsided structural arrangement of the north and the south. Structurally, the north is made up of 19 states divided along three geographical zones of East, West and central and controls some of the largest local governments in Nigeria. For instance, Kano state boasts of 44 local government areas having calved out two states of Katsina and Jigawa in 1987 and 1991 respectively by the Babangida military regime. On the other hand, the south, divided along geographical zones of West, East, South-south controls 17

states, 2 shorter than its northern counterpart. However, Lagos, which is acclaimed as the most populated state in Nigeria (Nigerian Finder, 2018) and having no state calved out of it since inception controls only 20 local governments. Despite the incontrovertible facts that Lagos state is the industrial and commercial hub of Nigeria's economy and the most cosmopolitan in terms of accomodation, it has lesser local government areas compared to a less viable Kano.

It is worth mentioning that local governments as the third tier of government in Nigeria receive revenue allocations from the federal government purse hence the tensions between the north and the south over the imbalance in the structure of states and local governments. This is one of the bases for the call to restructure the Nigerian federation to reflect these realities. In total, Nigeria has 36 states and 774 local governments (see sections 3(1) and 3(6) of the 1999 constitution respectively). Notably, the structural dichotomy between the north and the south is a military legacy that continues to stare Nigerians in the face. The military regime of Gowon, in a bid to whittle the support base of the Biafran agitators prior to the civil war, remodeled Nigeria from a regional structure to a state structure and consequently created 12 states out of the elstwhile four regions in 1967 (Badamasi and Zuwaira, 2016: 89).

The need to balance the imbalance in the structural arrangement of the north-south dichotomy in Nigeria has exacerbated the activities of the centrifugal and centripetal forces within the federation. The north, through its military and political leadership has sought to preserve its hegemony in terms of its number of states, legislative constituencies in the federal parliament over the south because rthe region is in a vantage position to attract higher revenue and infrastructural allocations from the national government. For this reason and some others that may be political, the region often antagonises any call to address the imbalance (see Osaghae and Suberu, 2005: 16). Perhaps, this accounts for the failures of the countless constitutional conferences initiated to discuss the myriad of problems plaguing the unity of the federation. However, the south has remained persistent in its continuous push for a restructured Nigeria with many ethnic militias and socio-cultural organizations emerging in the process notable among which are the Afenifere, a pan Yoruba socio-cultural organization; Ohanaeze Indigbo, the umbrella body of the Igbo extraction of Southern Nigeria; Movement for the Survival of the Ogoni People (MASOP); Odua Peoples Congress (OPC) and the Independent People of Biafra (IPOB). Though, these organizatons have divergent demands and have employed different modus operandi in pressing for their demands including subtle and violent acts, the indisputable fact remains that they are fall outs of the inequality and imbalance that characterize north-south relations in Nigeria over decades.

It is instructive to add to the foregoing that restructuring is historical in Nigeria, meaning that, it is not a current phenomenon in Nigeria's political lexicon. The demand for the recomposition of the Nigerian council of 1914 created to administer the newly amalgamated northern and southern protectorates that formed the colonial Nigerian state could be interpreted in the light of restructuring. To be sure, the council was composed of 36 members out of which were 23 European officials, 7 European businessmen and 6 Nigerians who were mainly traditional rulers (Mottoh-Migan, 1994:45). It was reported that the Nigerian members of the council were appointed

by the British colonial administrators and were grossly ineffective simply because they did not understand English which was the language of conducting official business. This sparked a persistent call by educated Nigerians to either reconstitute the council to accommodate Nigerians that have the competence to actually represent Nigerians and their interests or outrightly abolish it (Mottoh-Migan, 1994; Adefulu, 2001).

The nature of the demand for restructuring the contemporary Nigeria which started shortly after the commencement of the Fourth Republic in 1999 has assumed different dimensions but can be summarized under two broad levels namely political and economic. At the center of the political restructuring debate is power sharing. Different socio-cultural, political and professional organizations are expressing varied opinions on the forms of power sharing. For instance, at a recent summit on restructuring the Nigerian federation conveyed by the apex Igbo socio-cultural organization, Ohanaeze Indigbo, the body demanded a rotational presidency among the six geopolitical zones of Nigeria and a single tenure of six years for elected political office holders while there should be five Vice Presidents each representing the remaining five geopolitical zones to complement the zone producing the President at a material time (Channels TV News, May 20, 10h00-11h00pm). To them, the model will enhance equity, fairness and justice in the distribution of key political offices thereby correcting the present imbalance that shortchanges some zones of the nation from having a 'taste' of the presidency for a long period of time.

On the contrary, the Yoruba ethnic nation favours a more decentralized political system and a return to the federal regional arrangement of the 1950s and 1960s. To that extent, the central government becomes politically 'light' compared to its present ubiquitous 'Almighty' posture while regional governments become politically and economically viable, autonomous and truly independent. This will afford every region to harness its socio-economic potentials and develop at its own pace thus setting development agenda that is informed by the peculiar needs of the people of each geopolitical region. In sum, the region canvasses for devolution of power in favour of the subnational governments and a fiscal system that empowers the subnational units to control their God-given resources and generate revenues for public service as a panacea for resolving the present over-centralized political arrangement designed by the military 'artchitects' who presided over Nigeria for 29 years (1966-1979; 1983-1999). The South-south region of the nation has not offered any dissenting position from the Yoruba restructuring agenda. However, the Hausa/Fulani of the Northern region has not presented its articulated position of what context the restructuring process should take. What is reducible from the perceived body language of its leadership through the Northern Elders Forum and the Arewa Consultative Forum is that restructuring that will whittle down the political and ecomonic dominance of the national government may be an exercise in futility. This suspicious position is premised on the fact that the region has controlled the 58 year old independent Nigerian state for more than 41 years under civilian and military regimes. Apparently, changing the status quo may be fiercely opposed by the region. One copious fact remains that whatever restructuring that is achieved at the political level will have implications for fiscal and economic issues especially the revenue sharing formula since revenue allocation is

contigent upon governmental powers and responsibilities. While the debate has no end in sight, the unfolding events toward the build up to the 2019 general elections may provide the platform for a quick fix or a lasting resolution.

Conclusion

The paper has examined the contradictions of Nigeria's federal structure and located them within the defining nature and character of the military organization whose intervention in the political scene of Nigeria not only enlarged federal financial purse and powers but also exacerbated ethnic fragmentation of the Nigerian society. The results were many ethno-religious and resource-based conflicts that have bedeviled the current political dispensation since 1999. Though national conferences have been convened to discuss and analyse Nigeria's lopsided federal arrangement especially issues bothering on resource control, local government autmy, revenue allocation formula and balanced state structure (Oni, 2014b), the political will to consider and execute many of the far reaching outcomes of those conferences has been lacking.

It is instructive to mention that no alterations or amendments to the constitution of Nigeria can resolve the incessant conflicts that continue to shake the foundations of Nigeria as a federal state. What is needed is the process of renegotiating the basis of our existence where every group becomes important stakeholder in the final outcome of such negotiation. Through the negotiation, the powers and functions of the national government will be downsized and be limited to performing skeletal but important state functions of national security and foreign relations. Subnational governments must be politically and economically strengthened and empowered to encourage inter-regional development initiatives and cooperation, promote comparative advantage and enhance maximum resource utilization thereby stimulating national growth and development. As a matter of policy measure, this study recommends that Nigeria retains the current six geopolitical arrangements of North central, Eastern and Western Nigeria as well as South Eastern, Western and South-south Nigeria which no doubt accomodate the diverse ethnic colourations in Nigeria. Importantly, economic restructuring should be emphasised; governmental powers and responsibilities and the accompanying financial revenues should be devolved to subnational governments thereby empowering them to provide development infrastructure in their respective jurisdictions since they are closer to the people than the government at the center. This will ostensibly remove subnational governments' dependence on federal revenue allocations to function. Subnational governments should be constitutionally empowered to control their God's given natural resources and to raise taxes/revenues to fund development projects thereby reducing the ubiquity of the central government and allowing subnational governments to develop at their own pace in line with their peculiar aspirations.

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eGovernment Whole-of-Government Approach for Good Governance: Initiatives from Morocco

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Abstract

Good Governance is an ongoing endeavor of all societies to reach development and prosperity. Public administration processes focus of organizational reforms to reach good governance and to serve citizens more efficiently at front offices government-to-citizens (G2C) reforms. This paper to sheds light on back-office government-to-government (G2G) reforms in Morocco's public service. It explores the powers of eGovernment to enhance interoperability and coordination between offices. In this paper, coordination theory supports the whole-of-government management, which is opposed to silo-based management, as a catalyst for a heterogeneous multi-stakeholder engagement to promote internal working processes, improving institutional linkages seamlessly between back ends. The paper gives some examples from successful eGovernment whole-of-government initiatives in Morocco, at the end.

Keywords: eGovernment, Whole-of-Government Approach (WGA), Silo-based Approach, Good Governance

Introduction

There is a global tendency to convert public governance and management from silo-based structures, disaggregation, and organizational divide into holistic integrated approaches to increase interoperability and collaborative governance. Taking a Whole-of-Government Approach has the power to change governance outcomes than before, when most competent individual agencies worked in isolation. The whole-of-organization approach can streamline workflows and clarify reform paths for human and economic development. Recently, Morocco resorted to the eGovernment Whole-of-Government Approach, as a new public reform strategy, for its endeavors to increase Good Governance ethics among back offices, enhancing efficiency of service delivery in front offices, at the end.

The Development of the Concept of Governance

The concept of "governance" is very old in history. The term had been coined in a discourse presented by Kautilya, a king in India, to his people before 400 B.C. Kautilya had emphasized in his treatise ethics of justice, tolerance, wealth and interests safeguard as fundamental pillars that the king would preserve for his subjects, at that time. These good ethics were baptized by king Kautilya as an "art of governance" (Barthwal, 2003; Kaufmann & Kraay, 2007). In this direction, governance is a process of interaction between authorities and citizens. It is the way governments influence policies and make decisions for a public welfare (Barthwal, 2003). In the seventeenth century, governance had been defined by Chaucer and Shakespeare simply as a method of management to be developed later into an act of governing so as to achieve whatever is good for society (Osborne,1999 in Sangita, 2002). Towards the end of the twentieth century, the concept of governance got a prominent attention among social scientists, donors and civil society (Barthwal, 2003), to be tuned into a rich field of study in different disciplines like economics, international relations, human development studies, political sciences, and public administration and policies (Uzun, 2010), for its concern in the whole public life. Governance is beyond the government; it is the process in which governments or governors govern their societies. Therefore, the spirit of governance would be good, if it is infused with a democratic ethos-based on anti-corrupted, effective, transparent and accountable institutions, and which is alert to equity and the rule of law (Sangita, 2002). Now, the concept of "Good Governance " has gained more deliberation in academia, as any governance indicators appeared, such as those developed by Kettani, D., & Moulin, B. (2014), out of the United Nations (2008), in their distinguished book: EGovernment for Good Governance in developing countries: empirical evidence from the eFez project, for example. These indicators measured different aspects in the quality of management and service delivery, between governments and citizens (G2C), after the integration of information and communication technologies (ICTs).

Mohamed (Mo) Ibrahim, from Sudan, provides an annual report on the quality of governance in each sub-Saharan Africa African country. The assessment of governance in Africa is based on the Ibrahim Index of African Governance (IIAG) (Ibrahim & Gouillart, 2009), which was formerly

established within the John F. Kennedy School of Government at Harvard University (Rotberg, 2009). According to Ibrahim & Gouillart (2009), Good Governance is "the delivery of high quality political goods to citizens by governments of all kinds" (Rotberg, 2009, p. 113). Citizens pay taxes to their governments monthly, so as to receive, in turn, for domestic services such as physical security and safety (Rotberg, 2009). Mohamed (Mo) Ibrahim constructed governance indicators to benchmark public services provision within the African context. Since 2007, the Mo Ibrahim indices have offered a unique contribution to improve the quality of governance administrative performances in Africa, (Farrington, 2009). The Ibrahim governance indicators are disaggregated into five basic axes namely: safety and security, rule of law, transparency and corruption, participation and human rights, sustainable economic opportunity and human development. The score generated from these variables gives a clear vision for each country in terms of delivery of core political goods and services. (Rotberg, 2009).

By the advent of the new technologies, namely interoperability between systems, the traditional governance paradigm has won new additional ethics, especially in back-end works, like: seamless coordination, red tape and duplication reductions, security of information management, information sharing and greater coordination. Nowadays, eGovernment transfers the pattern of governance into other new forms of governance such as: "e-governance", "networked governance", "whole-of-organization governance" and "collaborative governance". The digital era has corrected the traditional governance paradigm where public institutions functioned as quarantined silos. EGovernment has integrated institutions to operate in holistic, cross-sectorial and multi-stakeholder coordination and synergies (United Nations, 2014).

EGovernment Technology

Electronic government or eGovernment is a new field in administration and management, which accompanied the emergence of ICTs and internet (Stowers & Melitski, 2003). EGovernment is defined as the use of ICTs to improve Good Governance ethics between G2C, G2B, and G2G (OECD, 2005; United Nations, 2014). EGovernment is a new administrative process of reform to service deliveries and government transactions that replaces traditional, hierarchical and paper-based administrations (Heeks, 2005). OECD (2003) in "The eGovernment Imperative" listed three main definitions of eGovernment, which can be summarized as the use of ICTs in front and back-offices for Good Governance (OECD, 2003, p.63). The edited book "Developments in eGovernment: A Critical Analysis" (Griffin, Trevorrow, & Halpin, 2007) conceptualizes the term of eGovernment and its theoretical contributions, empirical investigations and developments across the European Union. It is an in-depth critique for students, policy makers and researchers, for it pursues the development of eGovernment changes on local, national and global levels. The book defines "eGovernment " in a narrow definition as a "service delivery on the internet" and more broadly as "the use of ICT in the public sector". However, the whole book is limited to the area of G2C eGovernment transactions. Indeed, the authors added that eGovernment broad meaning

is still incomplete due to the lack of back-office benchmarking studies (Griffin *et al*., 2007, p. 76). Misuraca (2007) in her book "E-Governance in Africa, From Theory to Action: A Handbook on ICTs for Local Governance" associates the meaning of eGovernment with Good Governance values. She introduces eGovernment as a solution for "improved interactions with business" with "less corruption, increased transparency, greater convenience, revenue growth and/or cost reductions" (Misuraca, 2007, p. 28). Kettani, D., & Moulin, B. (2014) also presents eGovernment Technology as a catalyst for integrity and moralities in Public Sector. Their book eGovernment for Good Governance in developing countries: empirical evidence from the eFez project narrates the abilities of the automated kiosks to deliver instant Birth Certificates to citizens without the intervention of public officers, in the municipalities of Fez. The study reveals that the manual delivery of the certificates has been badly governed, corrupt, inefficient and archaic (Kettani *et al*., 2008, p. 10); however, eGovernment integration in front offices enabled for an efficient and effective, transparent, accountable, equal, and citizen-friendly delivery of back office, in which "Good Governance" substituted "bad governance" in the municipalities of Fez. Their eGovernment work won three prizes during the period 2006-2007, namely The Moroccan National Prize of "eMtiaz" in 2006, The Award of Technology in Government in Africa (TIGA), in 2007 and the United Nations Public Service Awards for "Improving the delivery of Services" in 2007 (Kettani *et al*., 2008, p. 16).

Forms of EGovernment

EGovernment exists as a multidirectional form of transaction. It is a long-term strategic plan to reform the process of all existing transactions of governments towards citizens, businesses and governments. Front-office deliveries are concerned with the online information and service delivery to citizens G2C and government to businesses (G2B), through ICTs. However, the back-office side of eGovernment is concerned with the internal administrative transactions and information sharing both within and between governments. Therefore, G2C and G2B transactions exist within the rubric of front-office; where G2G transactions are carried within back office operations between governments (United Nations, 2014). An example of G2B involves business-based transactions like payments, taxes, and placed bids for contracts between government and business corporations. Government-to- Citizen G2C involves the use of ICTs designed to simplify people's interaction with their governments as customers. EGovernment supports the new administrative approach to put citizens at the heart of service delivery, moving them from inline to online service delivery. Citizens now could request their administrative licenses and documents or participate at decision-making and elections using technology from their homes. Government-to-Government (G2G) involves all the processes of electronic integration and interoperability to streamline transactions between offices, with more transparency and accountability mechanisms. It is a new approach in public administration, which supports a Whole-of-Government coordination between multi-stakeholders to enhance an ICT-enabled public sector governance (United Nations, 2008).
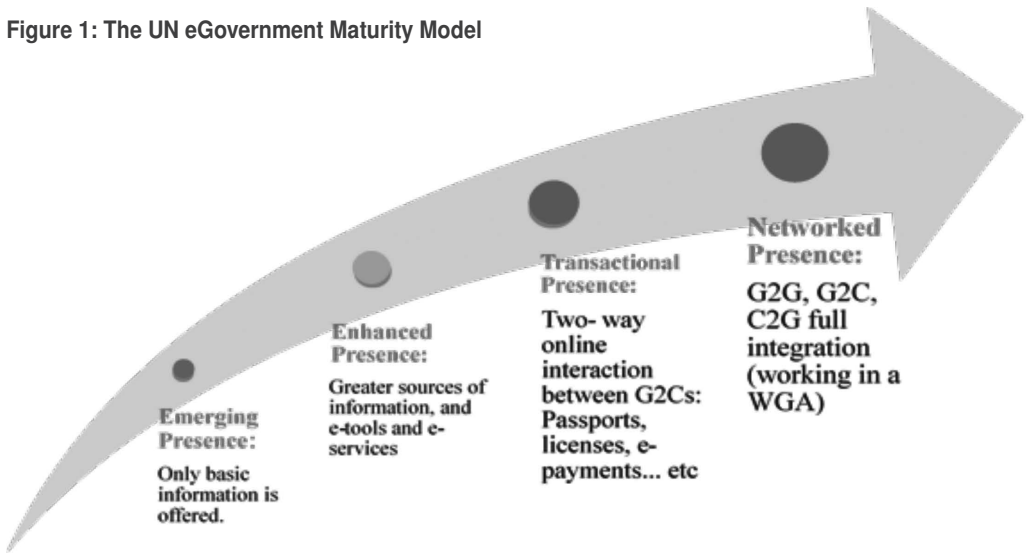
EGovernment Evolution Stages

Many authors tried to provide a better understanding for the emerging patterns of eGovernment performance across the development of ICTs (Coursey & Norris, 2008; Layne and Lee, 2001; Siau & Long, 2005; United Nations, 2008, 2014). The United Nations Surveys contribute to the ongoing discussion drawing a good map for eGovernment maturity stages. The model underlines the ongoing endeavors of all governments around the world to reach the best for the welfare of citizens. All the models developed, so far, picture a true, stepwise, and real development of eGovernment (Coursey & Norris, 2008). In the same context, Fath-Allah, Cheikhi, Al-Qutaish, &Idri (2014), compared 25 maturity models of eGovernment developing stages, for the purpose to reveal similarities and differences between them. The paper begins with the model of Layne and Lee (2001) and ends with the UK national Model. Fath-Allah *et al.* (2014) concluded that all the models, under study, express the same features using different terms. For them, "eGovernment maturity" underwent a unique evolution through time according to the pace of each country's "e-readiness". Most of these authors confirmed the possibility to reduce their models into a four major stage model evolution which comprises: Presence, Interaction, Transaction and Integration" (Fath-Allah *et al.*, 2014; Layne and Lee, 2001; United Nations, 2014), the same model which is developed by the United Nations in its surveys. Effectively, the United Nations (2014) has a more holistic and linear map of eGovernment evolution stages (Figure 1) . This model begins with an emerging state of Internet in the mid of 1990s, that has given birth to eGovernment technologies, serving citizens through static websites at the beginning. Citizens could have only basic and limited information about their administrations online. Then, eGovernment moved a bit to serve citizens with some downloadable forms, regulations and services online. At that stage, eGovernment facilitated a (G2C) two-layered communication process. Later, EGovernment developed into a "transactional" stage, where governments could receive some input from their citizens, in turn. People could pay their taxes online and apply for certificates and licenses. The "connected stage" witnessed the emergence of Web 2.0 enhancing technology and interactive applications that managed to transform governments into connected entities. Data, information, workflows could be transmitted between governments in a seamless manner, creating an efficient environment of interchange, coordination and communication between agencies (United Nations, 2014). EGovernment, now, is believed to change silo mind-sets with holistic cultures. Silos could disappear when governments are orchestrated together in a Whole-of-Government Approach for a unified service delivery in front offices (United Nations, 2014).

Figure 1: The UN eGovernment Maturity Model

Networked Presence:

G2G, G2C, C2G full integration (working in a WGA)

Transactional Presence:

Two- way online interaction between G2Cs: Passports, licenses, e-payments... etc

Enhanced Presence:

Greater sources of information, and e-tools and e-services

Emerging Presence:

Only basic information is offered.

Source: United Nations, 2014.

The Whole-of-Government Stage

The "Whole-of-Government Approach" was first coined by the former president of UK, Tony Blair, as a strategic plan to better increase "wicked" public ethics in his country (Christensen & Lægreid, 2007). The concept is originally labeled as a "joined-up government" in the United Kingdom, "horizontal government" in Canada, "network government" in United States and "integrated government" in New Zealand (Halligan, 2007, p. 204). The Whole-of-Government Approach is simply the integration of public service agencies to achieve a shared goal and integrated government responses to particular issues (United Nations, 2014). It is a new concept in public administration, which looks to promote inter-sectorial collaboration between offices in "the pursuit of government policy goals" (Halligan, 2007, p. 204). The approach aims to use eGovernment technology to transform public institutions from dispersed silos into orchestrated entities working seamlessly, towards a unified objective to produce good environments of interoperability, reactivity, effectiveness, cost-efficiency, accountability, transparency, and strategic visions of development. It is a new institutional policy for greater collaboration among government agencies through integrated information management systems (United Nations, 2014).

The Whole-of-Government Approach vs the Silo-Based Approach

The United Nations Public Administration Network (UNPAN) developed series of surveys between 2001 and 2014 to help countries, especially developing countries and countries in economic transition, respond to challenges of Good Governance in the Public Sector.

The United Nations seeks to build an eGovernment Whole-of-Government strategy that

links regional with national institutions, not for public service provision only, but for efficiency, transparency, accountability, and streamlined service delivery that may render cost savings in government transactions (United Nations, 2008). This new approach is initiated in the world as a reaction to the shortcomings of "single-purpose organizations" (Christensen & Laegreid, 2006). The Approach has been adopted for public sector reforms in United States, United Kingdom, Australia and Canada (Christensen & Lægreid, 2007). EGovernment Whole-of-Government collaboration between offices is deemed to bring the following gains:

- Effectiveness and responsiveness of governments towards complex administrative issues.
- Simplification of Administrative procedures.
- Reduction of duplications, and rule of law unification between public agencies.
- Cost-effectiveness and time-savings.
- Citizen's trust increase in their governments.
- Decentralization of public service delivery through ICTs.
- Increased transparency and accountability mechanisms for cross-agency collaboration.
- Integrated and seamless service delivery.
- Innovative approach to complex problem solving.
- Collaboration and shared strategic visions
  (*United Nations*, 2014, pp. 78–82).

The United Nations (2008) sees that "Connected Governance" should replace the bureaucracy of hierarchical silos, which failed to deliver efficient services at front-desks (Christensen &Laegreid, 2006; Christensen & Lægreid, 2007; Chun *et al*., 2011; United Nations, 2008, 2012, 2014).Within this context, the UN report "Government   Survey 2012: EGovernment for the People" highlights the vital necessity to understand the new economic, social and administrative new inquiries, that national governments must cope with to reform their strategies towards Good Governance. Therefore, a holistic approach towards connected governance should substitute "the siloization" of the public sector to consolidate back-office activities in order to find solutions for complex issues, through coordinated synergies (United Nations, 2012, p. 55).

Coordination Theory in the Public Sector

Governance and coordination have been described as essential "protocols" in reforming the public sector. Coordination is suggested to foster communication and transparency to constitute the so-called "a reasonable market practice" among bureaucracies working towards the same objective (Thornton & Fleming, 2011, p. 129). Governance is a way of workflows coordination between organizations, which are two sides of the same coin (Tierney, 2006). It is "the act of working together harmoniously" (Malone & Crowston, 1990, p. 5), to manage orchestrated activities together (Malone and Crowston, 1994). Therefore, coordination theory builds "tools that enable people to work together more effectively and more enjoyably". The theory is called for Crowston (1998) as a developing form of theories about how coordination can happen in various

kinds of systems, and the way "we can help us build useful cooperative work tools" (Malone & Crowston, 1990, p. 11). The theory has impacted different disciplines that necessitate coordination and collaboration, especially Public Administration. Coordination Theory has been cited at least in 287 journal articles, conference papers and dissertations (Crowston, Rubleske, & Howison, 2006) to investigate how separate actors and activities can be coordinated in a Whole-of-Government Approach through ICTs (Malone & Crowston, 1990). Coordination always happens beyond curtains and its visibility is detected by the absence of efficiency. Indeed, Good Governance in front offices must be contingent on a good whole-of-government coordination in back offices. Olson, Malone, & Smith (2012) in their coedited book: "coordination theory and collaboration technology" try to determine "the principles underlying how people collaborate and coordinate work efficiently and productively in environments characterized by a high degree of decentralized computation and decision-making" (Olson *et al*., 2012, p. 2). According to Olson *et al.* (2012), coordination theory can help to study the impact of ICTs on the way people coordinate their work together in corporations, under what they named "computer-supported cooperative work". More specifically, ICT-based coordination, offered by these "computer-supported cooperative works" are new capabilities in organizations to communicate "information faster, less expensively, and more selectively" (Olson *et al*., 2012, pp. 8–9). For Olson *et al* (2012), coordination can change organizations from mere "adhocracies" into solid organizations of highly decentralized networks and team works. Coordination theorists are concerned with coordination theory's impact on governance and decision-making among a group of people and how do computer-based group processes and tools affect the making of decisions, especially by the "rapid response and high reliability" offered by the new technologies (p.22). Malone and Crowston (1994) aim to theorize coordination among a "groupware", in order to help people coordinate their activities better by facilitating transactions between corporations, integrating ICTs to convert individual actions into larger purposeful wholes respecting onuses of time, order, quantity and quality. In conclusion, coordination theory supports integration and interoperability of workflows between different governmental entities for a holistic cooperation, management and Good Governance between offices.

EGovernment Initiatives in Morocco

Morocco issued a package of eGovernment strategic plans, with an online administration program to reform the public sector (Bennani & Elayoubi, 2008; Kettani & Moulin, 2014; OECD, 2010). "EGovernment proves to be a privileged gateway to a wide range of public sector reforms, and the MENA region offers a very broad scope of experiences", after the failure of traditional strategies (OECD, 2010, p. 187). Morocco is one of the countries that joined the track of these new reforms since 1997, when The Moroccan prime ministers' discourse on "Electronic Administration Days" emphasized the roles of ICTs as an alternative choice to improve efficiency, performance, transparency and accountability in the Moroccan administrative management, cutting red tape, duplication and fragmentation for a streamlined service delivery, at the end (Bennani & Elayoubi, 2008, pp. 228–229).

The online administration program in 1997 is followed by "e-Morocco 2010" to reduce administrative transaction costs and position Morocco internationally and externally in the field of ICTs. The country launched later for "Maroc Numeric 2013" with a budget of 2.5 billion Dirhams (Bennani & Elayoubi, 2008). The program aims to transfer the Moroccan public sector from an office-oriented to citizen-oriented, putting customers at the center of service delivery. An inter-ministerial committee (CIGOV) is nominated to benchmark and assess this project, which looks to increase interoperability among ministries, national and local public agencies through integrated system applications in Morocco (OECD, 2010). Twenty five eGovernment projects out of sixty nine projects are operational now, including six transactional online services. "Watiqa" (www.watiqa. ma) is an example that enables citizens to receive their birth certificates and other administrative documents on their devices only by a registered mail. This automated G2C application aims to reduce transaction costs and bribery, associated with the direct contact of citizens with local officials. Now, many other G2G Inter-organizational System Applications function between different ministries. BADR (Base Automatisée des Douanes en Réseau), for example, also is an operative system since 2009, which makes it easier for customs to register their statements online. DAMANCOM system also receives online declaration of earnings and payments. Direct Info allows citizens to consult companies' legal and financial information, to get a certificate, and to register a trademark (OECD, 2010). The integrated eGovernment system GID (Gestion Intégrée de la Dépense) links all public ministries, delegations, provinces, local collectivities to manage public expenditure. The system comes out of a series of fiscal reforms, which are deemed to modernize expenditure management between intergovernmental public agencies. It is an operable system since 2010, which is believed to increase efficiency, transparency of budget and accountability between local and national offices. The GID system is a major achievement and a pure successful product of the Ministry of Finance, which is offered to boost a holistic management for the public budget in the country.

Conclusion

EGovernment Whole-of-Government Approach is a transformation of bureaucracies from adhocracies and classic top-down hierarchies into a connected way of governance. The eGovernment Whole-of-Government package holds a great potential to reform governance in back-offices by breaking stove-piped working approaches that consistently fail to deal with complex issues of public administration and deliver efficient services at front-desks. Indeed, excellent service delivery in front offices entails an excellent orchestration and harmony of workflows in back offices, as advanced by the coordination theory in public administration. Therefore, eGovernment Whole-of-Government Approach is trusted as a solution for bad governance and fragmentation, and the Moroccan government should take pains to reach eGovernment in Morocco, fine-tuning the country to promote good governance and democracy. This will no doubt accelerate social and economic development in the modern information age.

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Globalization, International Order and Human Rights

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Abstract

With the advent of globalization, it is obvious that neither state from the North (developed countries) nor from the South (developing countries) can escape the rampaging tide of globalization. The tide of globalization through competition has stormed the global world and swept away uncooperative countries. This has, therefore, reconfigured and reshaped the state in both the activities and powers by transferring powers and activities hitherto held by the state to other actors. The consequence of this is that the phenomenon of globalization has created two different occupants in the same voyage - the strengthened states of the North and the weakened states of the South. The states of the North have strengthened their institutions to absorb the defects of globalization such as polarization of wealth and poverty, increasing terrorism, increasing citizenship gap and inequalities. While the states of the South are at the receiving end of the spectrum. The consequence of this is that these facets of globalization have implications for international order as countries of the North that benefit from globalization would want to maintain the status quo while those in the South who are at the disadvantaged position seek change. The corollary of this is that the maintenance of international order, which is tilted towards the North, has led to the infringement of the rights of the people and nations whose lives have been battered by the defects of globalization. Therefore, maintaining the status quo of international order would negate the right to development in the South.

Kew words: Globalization, International Order, Human Rights, Developed Countries, Developing Countries

Introduction

Globalization has become an inevitable phenomenon and, therefore, a denominator for regulating affairs of the mankind. It has also become the dynamic for development by strengthening some countries through marketization, liberalization and territorialization while weakening others through polarization of wealth and poverty, increasing citizenship gap, and increasing inequalities, among others. These facets of globalization have implications for international order as countries of the North that benefit from globalization want to maintain the status quo while those in the South who are at the disadvantaged position seek change. The corollary of this is that the maintenance of international order, which is tilted towards the North, has led to the infringement of the rights of the people and nations whose lives have been battered by the defects of globalization.

This paper has four sections; the first section introduces the focus of the discourse, namely, the nexus between globalization, international order and human rights. In the second section, we explain the emergent international order within the window of globalization and illuminate how each of globalization and human rights interact within the new order. This is done by seeking to understand each of these concepts and their practical impact in the global North-South divide. In particular, we explain the impact of globalization on the economic, cultural and political life of states and how these, especially the political impact, have led to human rights abuse in an era of globalization. Arising from this discourse, we then explore the specific impacts of globalization on human rights in the third section of the chapter. Here, we discuss factors that condition the manipulation of globalization for human rights abuse, including the configuration of the international arena, the idiosyncrasies of the developing world, nature of international politics and the misconception woven around development. We conclude the chapter in the fourth section, with a caveat that the present international order in this era of globalization poses significant challenges for people and nations.

Globalization, the Emergent International Order and Human Rights

Globalization

Globalization refers to the all-inclusive expression for the interconnectedness that exists between all human relations – political, economic, cultural and environmental. This interconnectedness is, *inter alia*, the result of advances in communication. In the words of Tijani (2015), citing Chesnais (2004), globalization is:

> The international economic and political regime, which follows from the adoption by practically all the governments and political elites in the world, of the policies of liberalization, regulation and privatization as well as of the ideology and domestic politics of laissez-faire and enrichisses-vous (enrich yourself) (Tijani, 2015:19).

Naim-Ahmed (2002), for instance, sees globalization as an ambivalent concept, which depends on the perspective of the scholars and sees the concept as having a helpful hand as well as a doomsday promise. On one hand, there is the helpful portion of globalization, recognized by scholars such as Friedman (1999) and Hufbaur (2001). Naim-Ahmed states that If globalization is conceived as turning the whole world into one global village in which all peoples are progressively more interrelated and all barriers are detached in a way that the world witnesses a new state of fast and free flow of people, capital, goods and ideas then the world would be witnessing exceptional satisfaction of human rights everywhere. This is because, according to him, globalization is bringing prosperity to all corners of the globe together with the spread of the highly cherished values of democracy, freedom and justice.

On the other hand, Naim-Ahmed expresses the view of the scholars such as Paul (2002) and Theodore (1983) who see globalization as connoting doom for mankind and putting the South at disadvantage. According to him, if globalization is envisioned as turning the world into a global market for goods and services which is conquered by the influential transnational corporations and governed by the rule of profit, then all human rights of the people in the world, particularly in the South would be seriously endangered.

The controversy rages on even at the theoretical level, the inter-paradigmatic debate on the theories of world politics has, instead of providing solution to understanding globalization, made conceptualization of the concept more complex. This is so because, as we see below, such theories of world politics as *realism*, *liberalism* and *world-system* have explained globalization so differently and vaguely that each of the theories has tended to align with the position of either of the proponents of globalization or its antagonists. In the words of Smith and Baylis (1997), *realists* do not see globalization as rendering obsolete the struggle for political power between states nor do they see it as undermining the use of force by the states, or the importance of balance of power. With this position on globalization, unequal power relations between states make human rights a subject of abuse by the powerful states against the less powerful ones as has been witnessed in the United States assaulting Panama in December, 1989 and subsequently imprisoning its leader in the United States for drug peddling, Saddam Hussein's Iraq invading Kuwait in August, 1990, and Israel overrunning Lebanon in July, 2006.

The *liberalists*' account of globalization, according to Smith and Baylis (1997), is that states are not the central actors as they used to be. Liberals are more interested in the revolution in technology and communications as represented by globalization. In *liberalism*, *g*lobalization tends to downplay the powers and activities of the state, but uplift the importance of non-state actors as Multinational Corporations and international organization like the United Nations Organization.

The *world-system theorists* see globalization as the latest stage in the development of international capitalism. They are of the opinion that globalization is a western-led phenomenon, which simply furthers the development of international capitalism. To these theorists, rather than make the world more alike, globalization further deepens the existing divide between the core, semi-periphery and the periphery. This polarization makes human rights abuse very possible as

the core states easily lord themselves over the periphery states. Since globalization has become inevitable, it is not that if it can sustain its continuity, but its problem is on how and on whose terms, the North or the South, it would tilt. Amnesty International (2009) buttresses the inequality, deprivation and marginalization that globalization has brought. According to the body, many scholars point to the millions lifted out of poverty by economic growth, but many more have been left behind. In other words, the losses have outweighed the gains of the economic growth and the human rights costs too high.

International Order

International order, as enshrined in the Charter of the United Nations, is woven around non-violent conflict resolution, state rights (sovereignty) and human rights. But, there is a tension among these norms, so also is the contention of its referent objects. As Maull (2002:10) laments:

> ...is it an order of and for states, or of and for individuals? This tension is further accentuated by the fact that states are both indispensable sources of protection and massive violation of human rights. How then, should 'international order' be conceived in the struggle against terrorism with global reach? Does 'international order' concern only states, or ultimately all human beings? And is international order a static or a dynamic concept? Does it discourage or promote change? (Maull, 2002:10).

International order is defined, according to Bull (1997a), as stable, predictable and controlled relations between states, in which turbulence, chaos and violence are mostly not present. This characterization makes the driving force of international order to be the state. Thus, traditionally, in the 1950s, the concentration of international order was on national governments. For the reason that power is the essence of politics especially in the international arena, it was believed that maintaining international order should take cognizance of the power relations among the states, hence the relevance of such concept as balance of power, which means, according to Bull (1997b), that no one state is preponderant in power in the international system as a whole. By implication, international order in that period was characterized by the protection of the powers. This scenario mirrored the relative pull that bipolarity had in stabilizing order in the international arena as the consequence of the military buildup including nuclear armament between the defunct Union of Soviet Socialist Republic (USSR) and the United States of America (USA) kept order in the international arena. This state of affairs was maintained until 1989 when the USSR disintegrated, which ended the bipolar world.

The end of bipolarity heralded the present unipolarity in world affairs, which gives the hegemony of the world to the United States. The ascendance of the United States as the unipolar hegemonist, in the late 1980s, was in cahoots with the emergent of globalization because the tenets of globalization, which tend to shift the control of the economy from the states to other sources, like market forces, also made it possible for the direction of international order to change

from the protection of the powers to the protection of the liberal ideology of the United States. In protesting against the protection of United States ideology, the present international order has also witnessed a radical challenge. Non-state actors such as the organized crime in Mexico and terrorist group as happened in the 11 September 2001 attack of United States by *al-Qaeda* and the emergence of Abu Musab al-Zarqawi's murderous Islamic State of Iraq and Syria (ISIS) - are now challenging the state.

Maull (2002), arguing the fact that the present international order is not a Western concept, opines that its present configuration and prevailing notions are Western in nature. He attributes international order and the debate about it to be the product of the European world through the dynamics of modernization, of which globalization represents but the most recent and most advanced stage. The Western shape and its prevailing notions about international order are reflected in the core norms of what international order stands for. But for the reason that what is Western does not necessarily translate into international, there is ambivalence in what international order mean.

Human Rights

Human rights, according to Amnesty International (2004) are basic rights and freedoms to which all humans are entitled. These rights include civil and political rights such as right to life and property and freedom of expression; economic, social and cultural rights, which include the right to be treated with respect and dignity, right to education and right to food, among others. The introduction of the human rights could be traced to the West, as earlier documents on human rights first emanated from the region. The British *Magna Carta*, which was signed by King John of England in 1215 (it stipulated the kind of contract that existed between the King and his subjects), the English Bill of Rights of 1689 (it addressed the rights of citizens as represented by the parliament against the Crown) and the United States Bill of Rights of 1789 by James Madison, but ratified in 1791 (it set limit on what the government can do and cannot do with regard to personal liberties), are all mirrors of current human rights. Ironically, the adoption of the Universal Declaration of Human Rights of 1948, according to Osiatynski (2000), was not initiated by any Western power; neither by United States nor Britain, but by Cuba, Panama and Chile. This is because of the pending human rights abuse in those countries as prior to the Declaration there had been racism and segregation in the United States while England and France had colonies.

Human right has been a baggy concept easily adaptable to manipulation. This is because after the Universal Declaration of Human Rights, human rights became a Cold War victim, an ideological instrument, which was used by the two blocs of East and West to wage war against each other. It became the subject of bitter conflicts seeing that the East challenged the West for using human rights as an ideological instrument by mirroring it as the social ownership of assets. This position is maintained by Mark (2001) that false division between political rights and economic rights arose partially from the political maneuverings of the Cold War. In his words, during the ideological conflict, the influence of the free-market democracies was domineering as it

tended to attack the communist nations and charged them with human rights violations. Ironically, democratic states would ignore the social and economic rights abuses that occurred in their own states. So, human rights are used as a tool for pursuing self interest by individual countries with the developing ones at the receiving end.

Today, in an era of globalization, an era that is more conflict-prone, terrorist inclined and politically and economically insecure, understanding of human rights should go beyond self-serving and limited approaches. It should be made elastic in order to accommodate consideration for the environment – cultural background, religions, historical background, etc. - of other regions.

In contrast to these specificities, Amnesty International (2009) defines human rights as basic rights and freedoms that all people are entitled to regardless of nationality, sex, national or ethnic origin, race, religion, language, or other status. This definition tends to align with the Western view of human rights, which negates the sensitivity of the specificities of other regions. It is this lack of sensitivity of the specificities of other regions that informs the limitations of human rights.

Human Rights and its Limitations
Cultural Limitation
Human right, just like development, is a normative concept that is culturally biased. So, to make human rights universally ingrained to the general embodiment of liberty and freedom of all individuals and countries of the world, it should take into consideration the difference in the culture of the people especially between the North and South. In other words, the cultural relativity, which makes the issue of practicalising the concept more difficult to tackle, has affected its understanding. Discussing human rights in the West and the East, Darusman (2003) opines that understanding human rights should take into account the cultural differences that exist in different regions of the world. Even though political elites may use the argument to perpetuate repression, cultural differences affect the understanding of human rights.

According to Darusman, violations of human rights are manifestations of underlying and more substantive dynamics that are specific to traditions and conditions of specific areas. Recognizing the cultural relativity among the countries of the world as evident in the Cairo Declaration of Human Rights in Islam adopted in 1990 by members of the Organization of the Islamic Conference (OIC), the Mideast and North Africa Encyclopedia (2009) observes the significance of regional specificities and various historical and cultural backgrounds as distinct from the other international human rights declarations. The Encyclopedia adds that the rights in the declaration are markedly different from those set out in the international human rights treaties. He provides examples that resolutions from OIC summits most often express cultural relativity when responding to the demands of the international human rights norm of universality.

The difference in the cultures across the globe has made an important component of human rights law, *universal jurisdiction,* to be unachievable. Universal jurisdiction is the concept, which is not widely accepted among the states. The notion of the concept is that any nation is authorized to

prosecute and punish violations of human rights wherever and whenever they may have occurred. This is because the right to partake in the culture of the community is enshrined in the *Article 27* of the 1948 Universal Declaration of Human Rights**:** everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. This limitation has, to a large extent, affected the horizon of human rights as a universal concept that is applicable to the dignity of all persons, families, groups, communities, states and international community. In other words, at what point does the protection of cultural, religious or state values become a human rights abuse? When and how does the protection of dignity of self become a human rights abuse of the values of the family, groups, communities, state and that of the international community?

The Subject Matter Limitation

Arising from the problem of cultural relativity is the problem of the substance often encountered in understanding human rights. From Britanica Concise Encyclopedia, which defines human rights as rights that belong to an individual as a consequence of being human, to United States Military Dictionary to Political Dictionary of Human Rights to Russian History Encyclopedia, the referent object is the individuals, it is about *self*. A variant of this is the Buddhism Dictionary, which tends to view human rights differently. According to the Buddhism Dictionary, the key doctrine of Buddhism is the absence of *self* (The Mideast and North Africa Encyclopedia, 2009). This is akin to Talmon's (n.d.) top-down perspective of society. The philosophy of totalitarian democracy, according to Talmon, is an absolute and perfect political truth to which all reasonable humans are driven. He explains that a totalitarian democracy is a form of democracy where the elected representatives of the people grant them the right to vote but little or no participation in the decision making process of the government.

Such activities as the economic and social endeavors, which tend to strengthen the collective, are considered valuable. Activities that strengthen *self,* such as education and religion, are seen as counterproductive. This dual conception is illustrated in the notions of human rights. For example, while the first generation of human rights has a propensity towards the *self* since such political rights as the rights to freedom of speech, of assembly and of religion are preserved in the individual, the second and third generations of human rights are associated with such economic and social activities as education or better standard living, which are about the collective. The problem of substance becomes more problematic when international conventions and declarations are made to support both *self* and the collective.

The problem becomes more conspicuous as all the three notions; first, second and third generations deduce their support from the 1948 Universal Declaration of Human Rights, adopted on 10 December 1948 by the General Assembly of the United Nations. Brown (1997) observes that the third generation notion of human rights tends to limit the universality of human rights. This is because, according to Brown, one of the rights of the people must be to be different from other

people, arguing that such difference could be achieved under the universal standard According to the United Nations (2009), Article 2 of the Universal Declaration, erodes the sensitivity of human rights to the peculiarities of regions of the world. The article states:

> Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty (Article 2 of the Universal Declaration, United Nations, 2009).

The limitations of human rights have implications for achieving international order. These limitations have made it impossible to have an international order that takes into consideration the specificities of all regions of the world and thereby making the order a universally accepted one.

Impacts of Globalization

Economic Impacts

Globalization has had impacts on the economy of the world by blurring the boundaries between politics and economics and the national and international. This is done by the creation of high levels of interdependence between national political economies. In other words, each national economy becomes more sensitive and vulnerable to changes in other national economies (Tooze, 1997). A typical example of this is the happenings in the economy of the United States that have disrupted international business resulting in economic meltdown and political calamity in many nations. This has had dire consequences on the economy of the countries of the South.

Again, globalization has also made people of the South more vulnerable to one of its impacts is the polarization of wealth and poverty, with calamitous consequences for the poor of the South. According to Thomas (1997), in the North, the ratio of rich to the poor is decreasing, conversely, in the South the poor people are getting poorer by the day. Such tenets of globalization as liberalization and marketization have provided unequal result with the North benefiting the more while the Southern economies have been in the doldrums. With this, globalization has reconfigured, reshaped and redirected the international order towards favouring the North. Expectedly, the North has tried to maintain the status quo. The corollary of this is that development, which should be the essence of globalization, has itself lent credence to under-development of the South. While globalization may be splendiferous in the eyes of the North, it has made the South including Africa splenetic. This is because of its fluidity, which makes it to have both complimentary and contradictory interpretations.

As globalization complements the interconnectedness of people and states therefore brings the world together, it ironically breeds such word as *disconnection.* Globalization breeds

disconnection between people as the gap between the poor and the rich becomes widened. In an era of globalization, within the state, the disconnection between leaders and the led is on the increase while between states, there is disconnection between nationals of the rich and those of poor countries. This explains its contradiction because much as it tries to bring together some of its instrumentalities as technology which aids information, financial transactions and education, it tends to breed conflict among people by polarizing them along economic cleavages.

While globalization transfers and brings about new technology and innovations that aids industrialization, paradoxically, industrialization has become a catalyst for under-developing the South through the pollution of the atmosphere. Emission of greenhouse gases by the North has brought adverse effects for the South. The depressing implication has meant the infringement on the rights of the people of the South. Such impact of atmospheric pollution as climate change, which culminates in desertification, flooding, erosion etc., has brought loss of livelihood of the poor people of the South whose major occupations depend on land. This predicament has made the people of the South to be more conscious of the destabilizing role of globalization in their daily life and further see its role in enforcing the culture of the North in the international arena.

Cultural Impact

The emerging reality of the era of globalization is that globalization has intensified the consciousness of civilization as propounded by Huntington (1993). It has aided the interactions of peoples and states thereby making the world a smaller place. The increasing interactions, according to Huntington, intensify civilization-consciousness and awareness of differences between civilizations and commonalities within civilizations, which in turn have had grave implications for the relations of the people and states. Huntington puts it succinctly that interactions among people of different civilizations enhance the civilization-consciousness of people. He adds that these interactions, in turn, invigorate differences and animosities stretching or thought to stretch back deep into history.

The interactions among people of different civilizations are reinforced by such grave cultural impositions as the use of English language for global communication - the use of internet, e-mail communication and other global media are typically done by the use of English language. Such cultural imposition has led to the castigation of globalization by other regions of the world because they see globalization as having a cultural, economic and political hegemony of the United States. Strengthening this view, Intriligator (2003) states that globalization comprises of cultural developments such that media and arts become homogenized with the widespread use of the English language for global communication. He adds that as a result of these cultural developments, some people especially the French and some other continental Europeans see globalization as an attempt at U.S. cultural as well as economic and political hegemony.

Political Impact

Globalization has had political implications for the states as it has eroded the sovereignty of the state through *denationalization*, to borrow from Jessop (2003), by transferring power hitherto

held by the states to other units of the state and non-states actors as civil society organization, faith based organization and Multinational Corporations. Again, Intriligator sees globalization as eroding the sovereignty of national governments and political leaders. However, he opines that globalization should not lead to a loss of sovereignty. This is because, according to him, international cooperation can play a role in ensuring the sovereignty of national governments. But, in a globalised world, even though states may be relevant, much of its sovereignty has been taken up by other state actors. For example, where federalism is much in practice, sub-state authorities have bypassed central government in taking policy initiatives. Scholte (1997) affirms that Canadian and Chinese provinces and most of the US federal states now have their own diplomatic missions abroad. These federal states and provinces operate independently from their respective national embassies.

Loss of state sovereignty is more pronounced between states than within states. A hitherto sovereign but less powerful state can now be attacked at will by another state because of such intrinsic dictum of globalization as being a global village: in a global village, whatever affects country A will have impact on country B. With this dictum, states are now being attacked even without the consent of the United Nations as we had in the invasion of a sovereign Iraq in 2003 by the United States, a situation that led to series of human rights cruelty, both in the invaded country as well as the detention camps. A top United Nations human rights investigator, Phillip Alston (The Guardian, 2 July 2008, p. 11), criticized the United States justice system as flawed and chided the former administration of George Bush for lack of transparency at the Guantanamo detention camp where inmates were tortured and abused.

Impact of Globalization on Human Rights

Fundamentally, the primary responsibility of the state is to protect and promote the cause of the individuals in the state. This is not so in the present international order as the state is seen as the symbol of the collective, with attendant consequences in the human rights of individuals being trampled upon, that must be protected irrespective of the specificities of the states in the international arena. As a result, in order to maintain an international order that is free of human rights abuse, individuals should be the referent object. Protecting the interest of the state should translate into the protection of the individuals. Apparently, there is a tension in the three norms that international order is built for the reason that in an era of globalization there have been several troubled spots of the world such as Iraq, Chechnya, Sri Lanka, Afghanistan and Nigeria's Niger Delta (before the amnesty programme introduced by President Umaru Yar' Adua) where the use of force had been preferred to dialogue or peaceful resolution of conflicts. This has shaken the norm of the international order of non-violent resolution of conflicts and, in fact, infringed upon the rights of the individuals in the states. What is gain in international order by making state the symbol of the collective and disregarding the rights of the individuals is lost to the rampaging effects of globalization, which rubbishes the hitherto jealously guided sovereignty of the state. States are now being attacked at will with serious consequences on the individuals as have been witnessed in many of the recently attacked states.

It is this aberration that makes Bull (1977a) to equate international order with international stability, which further makes human rights abuse more prevalent. According to Shah (2004), governments are losing their moral direction, sacrificing the global importance of human rights in a blind pursuit of security. This failure of leadership is a dangerous concession to armed groups." With international order sacrificing the rights of the human individuals, it is therefore important to look at some of the factors that are responsible for human rights to be abused in this era of globalization. The factors we consider here are: the configuration of the international arena; the idiosyncrasies of the South; nature of international politics; and misconception woven around development.

The Configuration of the International Arena

The configuration of the international arena that has redefined, reshaped and redirected the relations of states from multi-polarity, before the advent of Cold War between the East and the West, to the bipolar world of two superpowers, the defunct Soviet Union and the United States of America, to the present uni-polarity with the ascendance of the hegemonic ruler of the world, the United States of America, reinforced the tendency of the hegemonic power to exercise its power erratically. For example, the unilateral decision of the United States in its invasion of Iraq in 2003 over unfounded Weapons of Mass Destruction as against the wishes of almost all the countries of the world is a clear case of human rights abuse perpetrated by the hegemonic United States against a less powerful country. A United States chief weapons inspector in Iraq, Charles Duelfer's report stated that there was no evidence Saddam Hussein had chemical, biological or nuclear arms after the Gulf War of 1991. The report found Iraq's nuclear capability before the invasion as decaying rather than being preserved. The 1,000 page report disclosed that chances of finding Weapons of Mass Destruction (WMD) were less than five per cent (The Guardian, 8 October 2004, p. 9).

Children, women and the old who should be protected are wantonly killed, tortured or abused. The report, *Report about the situation of children in Iraq*, by International Order of Human Rights (2009), with the disgusting pictures of abused children, depicts the human rights abuse by the superpower whose role should be to maintain world peace by keeping human rights. Worse still, it is disheartening that the United States shows lackadaisical attitude towards the International Criminal Court (ICC), a special court established to try people accused of crime against humanity. The US threatens to use military force if US nationals were held at the Hague and continues to pressure many countries to sign agreements not to surrender U.S. citizens to the ICC. Nevertheless, the same criminal court, since its creation in 2002, has tried five cases – all of them in Africa (The Guardian, 27 November 2009, p. 10). However, it is unable to prosecute the powerful states that have violated human rights. Surprisingly, US soldiers have continued to violate one form of human rights, such as rape in Okinawa, Japan or another (The Guardian, 13 February 2008, p. 11).

Again, there have been series of human rights abuse by the United States as against the international conventions, laws and declarations on human rights. Mariner (2007), responding to former President George W. Bush's order on the detention and interrogation programme of the

Central Intelligence Agency (CIA), disclosed that the order, which established the secret detention sites, was contrary to Article 3 of the Geneva Conventions of 1949, that detainees be treated humanely. Mariner observed that a number of CIA prisoners were held for three or more years in secret detention facilities known as *black sites* before they were transferred to military custody at Guantanamo Bay, while others remained disappeared. More surprisingly, the United States under Obama administration continued to support developing countries that use children as child soldiers (Stohl and Georgieff, 2013). Premising this on the need to protect domestic interest, the United States has reneged on the Child Soldiers Protection Act (CSPA) that was passed in 2008 by the US Congress. The Act prohibits arms transfer and training to governments that use child soldiers. The Obama administration has continuously provided support for developing countries that promote child soldiers as identified in the State Department's annual Trafficking in Persons (TIP) report. TIP in its 2010 and 2011 reports identified Democratic Republic of Congo (DRC), Sudan, Yemen, and Chad as countries that the Obama administration provided blanket waiver for (Stohl and Georgieff, 2013).

The Idiosyncrasies of the South

The characteristic of the South of being *soft* makes them prone to human rights abuse. A soft state is characterized by bad leadership and not visionary about the development of the state; hence laws are nor enforced by the leaders and not obeyed by the citizens. Policies are often not well articulated and not well implemented. Laws that are not enforced by the leaders lead to the abuse of the rights of the led. Although most states in the South, especially the African states, practice one form of democracy or another, they can still be regarded as soft states. The *softness* of a state is reinforced by the effect of globalization on both the leaders and the led as it elongates poverty among poor countries with high vulnerability among the poor. The consequence of this is that there are many poverty-induced conflicts in most poor countries of the world especially in African countries. Protests over lack of basic necessities of life are often recorded, which is resisted by the oppressor leaders with maximum use of force.

Amnesty International (2009) reports that, in Khorera, near Boke, Guinea, a youth leader, Karambaa Drame, was shot dead on 31 October 2008. The allegation was that he spearheaded a demonstration over rising food and commodity prices. It is reported that security forces often use excessive force to repress protests by the people over the rights to basic necessities of life as food and shelter. In Cameroon, in late February 2009, security forces killed 100 people in response to violent protest in various towns against low wages. There was a similar experience in Mozambique where three persons were killed and 30 others injured when live ammunitions were used against the people who were protesting against an increase in transport costs (Amnesty International, 2009). Again, in Nigeria, In December 2015, 347 members of the Shia Islamic Movement of Nigeria (IMN) were killed by the Nigerian army after a road blockade by the group in Zaria. According to Human Right Watch (2017), the leader, Ibrahim El Zakzaky with his wife and adherents remained in custody for several months without charges. Correspondingly, where

protests are not witnessed, it is due to incapacitation of the victims such as the case of victims of Boko Haram terrorist attacks in Nigeria. Internally Displaced Persons who need to be protected are devoid of basic rights.

Human Rights Watch reports that the declining intensity of Boko Haram attacks has made a poor response the humanitarian crisis a bit gloomier. This is because, for example, most of the 2.5 million internally displaced people (IDPs) lack basic rights such as rights to shelter, healthcare, food, education and protection from harm in addition to the right to freedom of movement. More disappointingly, displaced women and girls have become victims in the hand of those who should protect them as they suffer rape and sexual exploitation perpetrated by fellow IDPs, members of vigilante groups, policemen, and soldiers. In the same vein, according to a research organization in Nigeria, NOI Polls (2016), almost 9 in 10 Internally Displaced Persons (IDP) (85 percent) did not have access to quality food and regular meals, about 8 in 10 IDPs (78 percent) did not have access to potable water, while almost 7 in 10 IDPs (69 percent) lacked access to quality healthcare. According to NOI Polls, the incidents occurred in both official and unofficial camps, across Borno, Yobe and Adamawa states of Nigeria.

Nature of International Politics

Nwolise's (2001) characterization of politics as the control of the minds and resources of men and nations aptly captures happenings in the international arena apropos of relations between states. The notion about politics, which is about the protection of one's interest, is the main thrust of international politics. It is done with the use of *good reason* to manipulate the *real reason*. Good reason is often provided by a powerful state to justify its ulterior action, the *real reason*. This is devised essentially to protect the clandestine national interest of the powerful state against the interest of the less powerful state. The powerful state uses the *good reason* as in the case of China using a good reason as rapid economic development of Tibet to manipulate the autonomy of Tibet for its national interest whereas China's human rights record at home needs to be improved upon, at least, according to United States president, Barak Obama (The Guardian, 17 November 2009, p.11). In international politics, the powerful states lord themselves over the smaller states. This is aided by globalization as it provides an alibi for human rights abuse because it has made what were hitherto national specificities such as cultures, values, religion now international phenomena. This is done by breaking the coat that covers the state.

As anticipated, the territorial border that is seen in the sovereignty of the states is made borderless and, conversely, sovereignty of the state is lost to subjugation of the smaller states by the powerful ones in the international arena. In some cases, supranational organization as the United Nations Organization is used as the instrument of subjugation. It is confirmed by former Secretary of State of the United States, Madeline Albright that during the Cold War, the United Nations was a tool of American foreign policy (Mian, 2005).

China, another superpower has continued to commit human rights abuse against a smaller Tibet. An instance was the crackdown of 2008 that resulted in the killing of numerous

demonstrators. Even an attempt by the Chinese government in using propaganda such as the need for it to modernize Tibet (an effort to justify its human rights abuse) has further elongated poverty among the people of Tibet with resultant creation of wealth for the Chinese who migrated to Tibet (Global Issues, 2008). However, without any political reforms to accompany this process, the social tensions have increased as local Tibetans see little of the prosperity and growth, while ethnic Chinese, who have also been encouraged to migrate to Tibet, have seen their wealth generally increase.

Misconceptions Woven around Development

Prior to globalization, inequality and polarization of the world along developmental cleavages had existed, what globalization has just done is to confirm it and further elongate the polarization. Development theories have explained inequalities in the world along asymmetrical line. Modernization Theory has explained this inequality at the realm of the social formation by dividing the world into two unequal worlds: the 'modern' and the 'traditional' (Durkheim, 1984; Taylor, 2002). Even Dependency Theory that attempts to contest the modernization theory sees the polarization as coming from the economic formation, simply that capitalist North is the ideal model, yet it assumes that development can occur if the North's capitalist model is followed. This simply divides the polarization of the world along the capitalist world and the non-capitalist world; or better still, through the assumption of Rodney (1973) that sees process as the underpinning argument of the dependency theory. Rodney sees the process of integrating the South into the capitalist's world as explaining the underdeveloping nature of the South. All of this has meant that inasmuch as globalization has confirmed and elongated the polarization of the world as reflected in the polarization of wealth and poverty, where the rich countries of the North are continuing to be richer and the poor countries of the South are continuing to be poorer, human rights will continue to be violated and the victims will continue to be the people of the South.

With globalization polarizing the world into haves and have-nots, strengthening some states (the North) and empowering their people while weakening other states (the South) and disempowering their people, and treating such variables as education, food, shelter and health care, which make development achievable, as needs and denying them as rights, it is doubtful if the South will ever develop as much as the North. For development to be realized in the South, particularly in Africa, these variables should be regarded as rights, which individuals are entitled to with opportunities created for them to claim those rights. Robinson (2003) acknowledges the challenge that human rights faces in bringing about development, when he posits that human rights framework adds to development policy the notion that education, food, adequate housing and health care are rights, not merely needs. According to him, it implies that the poor must have legal and political space to claim their rights and participate fully in decision-makings as such have overriding influence on their lives. He opines that the poor should not simply benefit from more resources, but government policies should also ensure access to justice, protect against discrimination and fulfill economic and social rights. In other words, government policies which include designing of poverty reduction

strategies and social safety nets must respect the rights of the poor to an adequate standard of living, which include food, housing, health protection, education and social security.

Consequently, if these fundamental basic necessities of life are taken as rights and failure to provide them is considered as breaking the law of the land, then issues such as accountability, responsiveness and transparency, which are key principles of good governance and a prerequisite for development will become meaningful. This is so because development itself is a contingent outcome. A contingent outcome, according to Vitta (2000), is an event that occurs after every other event has occurred. So, human right is *sine-qua-non* for development. Flowing from the recognition of basic needs as rights is the right due to the women. In other words, issues of gender equality where women would have equal access to good health, education and employment are paramount to development. Indiscrimination against the women would further empower them and ultimately translate into development for them. Discrimination against them has been a hindrance to development because it makes them susceptible to poverty.

Conclusion

Since globalization is an inevitable phenomenon whose continuity is not in doubt, then the South's propensity to fight human rights abuse will be propelled by the terms of and the direction of globalization. In other words, if globalization continues to benefit the North, then the resultant effect of inequality, polarization of wealth and poverty, economic marketisation and political territorialisation of the states will put the human rights of the poor people in the South at a disadvantage. This will further make international order a subject of security where the status quo is to protect the powerful states of the North in all relations – political, economic, cultural and even environmental. Maintaining the status quo of international order will make development a mirage in the South and, in fact, negate the right to development as adopted by the United Nations' *Declaration on the Right to Development* in 1986 (Sengupta, 2006). This declaration that makes human rights the window of development by recognizing the right to development and making specifically the realization of the right of all individuals in developing countries, like the realization of any other human right, a policy-priority of all nations.

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Does the Office of the Prime Minister in Uganda conduct Gender Responsive Evaluations?

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Abstract

Gender equality and women's empowerment are possible when development programmes and policies confront unfair power relationships between men and women. Monitoring and evaluation are tools that can enhance gender responsiveness and/or conceal gender inequalities. This paper analyzed whether the 2016 process evaluation of the Universal Primary Education programme (UPE) undertake by Office of the Prime Minister (OPM) was gender responsive. The critical review of the evaluation report show that OPM did not set out to undertake a gender responsive evaluation though the UPE programme by design was gender responsive. This enabled a generic evaluation to highlight findings on some gender indicators embedded in the programme, though the report was silent on other issues like; early pregnancy, absenteeism and school drop out for girls due to gender roles and cultural beliefs. The evaluation used a generic evaluation methodology, the objectives did not require a gender responsive study, there was no requirement of a gender responsive evaluation team and the design did not specify that some of data sources include women and other vulnerable groups. The evaluation process was not necessarily taken to be a social change process for enhancing learning and empowerment of stakeholders. Therefore the evaluation methodology was gender blind, save for the seemingly gender responsive programme that enabled the evaluation to capture and report on some gender specific indicators. To enhance gender responsive evaluations, the OPM needs a deliberate attention to gender and equity in its evaluation methodology.

Key words: Gender Responsive, Monitoring and Evaluation, Gender Empowerment

Introduction to Gender Responsive Development

Gender equality and women' empowerment are priorities among the Sustainable Development Goals and even prior to these goals, several governments including Uganda committed themselves to achieve gender equality and women's empowerment. Gender equality and women's empowerment is possible when development programmes and policies are designed to deal with needs of women, focus on equal access resources/services between men and women and include women in decision making and confront unfair power relationships. Such programmes are seen to be gender responsive. Gender responsiveness will mean that programmes are designed, implemented and evaluated in such way that they recognize the gendered differences for both men and women in participating, benefiting from the programme and their unique risks and factors that perpetuate vulnerability.

Ensuring gender equality and women's empowerment is a desired goal at international and national levels. The recent sustainable development goals emphasizes social inclusion than ever before and highlights goals that are specific to gender equality. Other International treaties and specific National Gender policies and development plans require elimination of discrimination against women in development and set forth a process of closing the gender inequalities and empowering women. Different approaches such as Women in Development, Gender and Development and Women's Empowerment approaches all have been deployed with different levels of intensity to deal with gender and equity issues. GoU has made several commitments towards promoting gender and equity – international and national laws and policies. For instance the Government of Uganda is currently encouraging gender and equity budgeting to ensure that all interventions i.e. policies, plans and projects of government take into consideration the needs, concerns, the potentials of different groups of women and men, urban and rural, disabled, elderly, etc. This is because it is through tools like the budget that Government demonstrates its commitment to fulfill particular goals and priorities. It is in the same vain that evaluations of government interventions ought to be gender responsive so that gender inequalities and inequities can be unfolded. As maintained by UN women, gender responsive evaluations enhance gender equality and the empowerment of women (UN, Women 2015).

Gender Responsive Evaluations

An evaluation is said to be gender responsive if it incorporates 'gender and women's rights dimensions into evaluation approaches, methods, processes and use' (UN Women, 2015:4). Therefore the evaluation examines drivers of gender equality and empowerment of women (ideally it should focus on understanding the degree to which gender and power relationships—including structural and other causes that give rise to inequities, discrimination and unfair power relations are being confronted by a given intervention); and at the same time how these evaluations are conducted (should include a process that is inclusive, participatory and respectful of all stakeholders) can help to promote accountability and social change (ibid).

UN women (2015:5) also emphasizes that gender responsive evaluations 'promote

accountability to gender equality, human rights and women's empowerment commitments by providing information on the way in which development programmes affect women and men differently'. This means that the evaluation process measures the distribution of impact of the programme with an aim of question the inequities.   At the same time gender responsive evaluation is expected to be a social change intervention or process. The results of such evaluation are expected to inform programming in terms of achieving gender equality, women's empowerment and human rights in a sustainable manner. The active participation of stakeholders in an evaluation process should empower individuals and groups, build cohesion among stakeholders, make them appreciate the development interventions and the roles and interest of stakeholders, and develop better capabilities to even participate in broader processes of social change. Therefore what is evaluated and the way it is evaluated is very important in determining whether an evaluation is gender responsive of just generic.

Governments all over the world invest in undertaking evaluations intervention to enhance service delivery, accountability, learning and decision making. The office of the Prime Minister in Uganda has often engaged in programme evaluations with an aim of enhancing evidence based policy making which will in turn improve efficiency in service delivery (http://opm.go.ug/government-evaluations/). Examples of the most recent studies include: the process evaluation of the Universal Primary education and Process Evaluation of the GoU Family Planning programmes. These programmes being social programmes, it can be assumed that they were gender responsive and the methodology of undertaking these evaluations was inclusive, participatory and empowering to both men and women. However, a quick scan of the evaluation design and methodology of these two studies suggested a generic evaluation process seemingly blind of gender equality and women's empowerment issues. If evaluations by government do not take into consideration gender equality and women's empowerment in terms of what the evaluation examines and how it is conducted, then gender inequalities will inherently be undisclosed.

Therefore this study analyzes whether or not the process evaluation of the Universal Primary Education programme by Office of the Prime Minister (OPM) was gender responsive. More study set out to;
- Analyse whether gender equality and women's empowerment considerations were integrated into the programme design and implementation?
- Examine whether the evaluation methodology of the Universal Primary Education took into consideration gender equality and women's empowerment?

Process Evaluation of the Universal Primary Education Programme (UPE)

After two decades of UPE programme a process evaluation of UPE was conducted by the Office of the Prime Minister (OPM) in 2016. The OPM maintained that there was still scanty empirical evidence on the relevance, effectiveness, cost-efficiency and sustainability of UPE. They noted that also the programme lacked a well-articulated theory of change to guide M&E institutional framework. Thus a process evaluation was conducted to close these gaps. The process evaluation involve three phases' i.e. inception phase, fieldwork phase, data analysis and report writing phase. The process evaluation report details; in-depth knowledge of the UPE programme and its context; the UPE theory of change; and assessment of program's relevance, effectiveness, cost-efficiency and sustainability.

Methodology

This study set to analyze whether or not the process evaluation of the Universal Primary Education programme by Office of the Prime Minister (OPM) was gender responsive. Data was mainly collected using literature review of the evaluation report as it was not possible to interview the manager and the evaluation team. The following tool on key issues in gender responsive evaluations was developed and used as a check list during the critical review of the evaluation report.

Key Issues in Gender Responsive Evaluation

Stages of Evaluations	Evaluation Issues in Gender Responsive Evaluations	Status of Compliance	
Objectives	**Intervention**		
	Do the objectives of the intervention focus on addressing gender equity and equality issues	Yes	No
	Are the intervention outcomes specific to closing the gender and equity gaps?	Yes	No
	Dos the programme target group specify that it will benefit both men and women, and vulnerable groups	Yes	No
Indicators	Does the programme have gender specific indicators to measure success	Yes	No
Implementation	Does the implementation mechanism specify the participation of men, women and vulnerable groups	Yes	No
	Are the implementers (agencies) gender responsive	Yes	No

Stages of Evaluations	Evaluation Issues in Gender Responsive Evaluations	Status of Compliance	
Implementation	**Methodology**		
Preparation	Did the evaluation manager require gender responsive evaluation	Yes	No
	Did the ToR include gender specific objectives	Yes	No
	Did the evaluation require a gender evaluation expertise	Yes	No
	Were stakeholders consulted during the selection of the evaluation team?	Yes	No
	Was the programme theory of change agreed upon by stakeholders	Yes	No
	Were the programme indicators gender sensitive	Yes	No
Design	Was the stakeholder analysis done?	Yes	No
	Did the evaluation have an inbuilt stakeholder consultation process	Yes	No
	Do the evaluation questions point to outcomes focused on equity and gender specify results	Yes	No
	Did the design specify (implicitly) that some of data sources include women and other vulnerable groups	Yes	No
	Do the evaluation questions construct women and men as actors or women as acted?	Yes	No
Data collection methods and processes	Did the evaluator use mixed methods	Yes	No
	Did the evaluation use methods that facilitate participation and inclusion i.e. participatory methods that allow stakeholders to submit data but actively participate in the definition of what data should be collected and recorded e.g. appreciative inquiry, most significant change	Yes	No
	Did the evaluation collect sex disaggregated data including age, marital status, occupation	Yes	No
	Did the evaluation employee a flexible approach and methods in terms of timing, callbacks, data collection techniques (context and challenges of respondents)	Yes	No
	Did the evaluation include vulnerable populations in data gathering process –include full range of stakeholders	Yes	No
	Did the data collection tools interrogate gender roles in the evaluated programmes	Yes	No
	Were the methods and tools culturally sensitive	Yes	No
	Were the methods and tools sensitive to the rights of girls and women	Yes	No

Stages of Evaluations	Evaluation Issues in Gender Responsive Evaluations	Status of Compliance	
Data analysis and Reporting	Was the quantitative and qualitative data analyzed in such way to involve stakeholders	Yes	No
	Did the analysis tool require specification of sex disaggregated data	Yes	No
	Does the report give information on gender equality indicators	Yes	No
	Does the report show how the UPE intervention affects men and women differently	Yes	No
	Do recommendations in the report explicitly draw attention to gender gaps and how to close them	Yes	No

Source: Formulated from literature review.

Findings

Integration of Gender Equality in UPE Programme Design and Implementation

The Government of Uganda (GoU) instituted the Universal Primary Education (UPE) policy in January 1997 with an aim of enabling all children of primary school going age have equal access to education and enter and remain in school. UPE provided for "free" education to all children of primary school-going age (6-13 years) in Uganda. GOU abolished all tuition fees and required Parents, Teachers, Associations (PTAs) to be in charge of primary education. The abolition of school fees made education somehow affordable and enabled parents to send all children to school regardless of sex. UPE aimed at making basic education accessible to the learner and relevant to his or her needs. According to the National planning Authority, it is evident that the introduction of UPE led to an increase of pupil enrolment in government-aided primary schools from 2.8 million in 1996 to 8,485,005 in 2014 (NPA, 2015). The gross enrolment ratio stood at 128% in 2012 while the net enrolment ratio stood at 92% compared to less than 20% before UPE in 1992 (OPM, 2016). The universalization of education enabled many children to attend schools and its decentralized governance (e.g. restricted capitation and facility grants to schools, decentralization of teacher recruitment and deployment to district levels, decentralization of school supervision) has enabled government, parents and teachers to actively participate in school management.

The UPE program has been implemented by Uganda's Ministry of Education, Science, Technology and Sports (MoESTS) to achieve the following objectives;

• Providing the facilities and resources to enable every child to enter and remain in school until the primary cycle of education is complete;
• Make education equitable in order to eliminate disparities and inequalities;
• Ensure that education is affordable by the majority of Ugandans; and
• Reduce poverty by equipping every individual with basic skills.

Right from the objectives of the programme it is noticed that UPE considered gender equality by desiring equitable education. UPE was meant to meet national goals, make education equitable, and to ensure that education is affordable for the majority of Ugandans (John Paul II Justice & Peace Centre (2014). The OPM process evaluation in 2016 established that UPE had performed well towards achievement of key objectives such as improving equity and access of primary education and expanding physical facilities. The expanded access to primary education has led to gender parity in primary enrollment with Net Enrollment Ratio at 83.2% (UBOS, 2010). The enrolment for boys and girls had increased, and 'by 2006 it had reached 90.4 percent for girls compared to 93 percent for boys before reaching 50-50 parity in 2014'. Completion rates at Primary Seven (7) are low overall, and lower for girls (OPM, 2016) because of absenteeism and dropping out of school. The causes for drop out for girls has been noted to be; early pregnancy; sexual harassment; and lack of sanitation facilities.

To further enhance equity and provide better facilities for teaching and learning, the GoU set in place the School Facilities Grant (SFG) in 1998 so as to finance the expansion school facilities. The grants are channeled through Districts. According to OPM (2016), the School Facilities Grant (SFG) was created to assist the populated and neediest communities in acquiring school furniture and building new classrooms, latrines and teachers houses. According to the theory of change of the SFGs (OPM, 2016:23), it was anticipated that the following outcomes will be achieved;
• Increased equitable access to primary education
• Improved efficiency and effectiveness in the delivery of primary education.
• Improved quality and relevance of primary education

OPM (2016) indicate that over 80% of participants in the evaluation maintained that SFG has benefited rural schools with limited resources to construct good school facilities. From the stated outcomes above and the findings by OMP process evaluation, it can be stated that equity as a foundation of gender equality was logically anticipated from the results chain of the grants and the UPE programme has contributed to its achievement which is an indication that gender equality was inbuilt into the UPE programme. Although as the OPM (2016) noted, some districts have for a long time not received SFG which has derailed not only construction of new infrastructure but also lack of maintenance of the existing ones which still constrains equity in a sense that it lead to school pupil and teacher absenteeism, and dropout of pupils.

Again GoU through UPE has committed itself to inclusive education by encouraging education of children with special needs (handicapped children and orphans). The Ministry of Education established a department of special needs to promote the interests of children with impairments in hearing, visual, mental, body among other. However, according the OPM process evaluation report (2016) most facilitates to enhance special needs education apart from modified desks and sanitary towels are still scarce or none existent. Among the missing/scarce facilities include; wheel chairs, elbow crutches, white canes, polio boots, sitting Aid, magnifying lens, walking

frames, and Artificial Arms. While inclusive education has been inbuilt in the UPE programme, its implementation in terms of equipping schools with appropriate facilities seem to be having some challenges making inclusive education hard to attain.

In terms of directly addressing specific gender issues such as early pregnancy, absenteeism and school drop out for girls due to gender roles and cultural beliefs, the UPE programme does not seem to have specific interventions. For instance it has been documented that girls drop out of school due to early pregnancy as a result of lack of midday meals and in instances where men entice them with little money for lunch. Yet in rural areas compared to urban areas schools have no private mechanism of providing lunch at school. The UPE policy does not cater for feeding, does require schools or parents to provide lunch to children. This has resulted into poor learning outcomes among learners because when they attend classes on empty stomach, they hardly concentrate in class. The OPM process evaluation report (2016:20) identifies 'unclear regulation or policy on school feeding' as one of the explanations for low learning outcomes. At the same time in rural areas girls compared to boys dropout of school and or are absent from school due to the fact that they provide labor in subsistence household agricultural production and support their mothers to provide labor to undertake the domestic chores. Yet the UPE policy and other policies like those of agriculture hardly provide machinery for subsistence agriculture or domestic chores. In the end some specific gender issues are not addressed by the programme design or implementation to ensure gender equality.

Overall education addresses the strategic gender needs of both girls and boys. It addresses the traditional practices of educating more boys than girls thus addressing the marginalization. According to Moser (1993) education will enhance girl's ability to engage in negotiating decisions that affect their lives and empower them to challenge the inequalities. Although children in UPE programme often are regarded as passive recipients of the development process because they cannot determine the curricula or even methods of teaching and learning, overall education and consciousness raising empowers stakeholders including children. The fact that school management committees and Parents Teachers Associations include parents who participate in planning, budgeting, implementation and monitoring and supervision of school programmes, it shows that the implementation of UPE envisages participatory management processes which are key in empowering stakeholders. However, Namara (2016) concludes that decentralized governance of UPE has strengthened the supply side of governance which is critical to ensure control, enforcement of government standards and policies and the SMCs have increased participation of parents and other stakeholders in implementation of school programs, however, the demand side of governance is still under developed as SMCs are not conversant with their roles and responsibilities and communities including parents and children seem not to prioritize education. Consequently social accountability is not strong and this is one of the reasons why the quality of primary education has been declining.

Was the Evaluation Methodology of UPE Gender Responsive?

The findings show that the process evaluation of the UPE was not necessarily a gender specific evaluation but was rather a generic evaluation that set out to establish whether the School Facilities Grant (SFG) has achieved its stated objectives and improved performance. The process evaluation did not require a gender responsive evaluation, although UPE programme and its indicators were largely designed with the gender equality and equity in mind. The objectives of the evaluation as highlighted below did not include gender specific objectives. The study set out to;

- This evaluation was guided by the following specific objectives;
- Demonstrate and discuss in-depth knowledge of the UPE context and policy, including its intended outcomes or objectives;
- Articulate the SFG intervention theory of change, including the key assumptions;
- Discuss SFG intervention relevance by assessing if
    - the SFG objectives are relevant to the priorities of the target group;
    - the inputs and outputs of the SFG are adequate for achieving the intended objectives; and
    - the extent to which the SFG objectives are valid in the context it is being implemented.
- Establish the effectiveness of the SFG by assessing whether the programme has achieved or likely to achieve its outputs and final objectives;
- Explore the cost-efficiency of the SFG as compared to other alternatives.

The evaluation followed the DAC criteria for evaluations. Though the DAC criteria is useful in formulating evaluation objectives, it takes a gender sensitive evaluation team to examine gender issues. It also takes a gender responsive programme for evaluators to examine gender issues and question whether the programme equitably benefited both men and women and may be this is the reason the why findings reflected on gender indicators and bring out gender concerns.

The evaluation report (2016) shows that the inception phase of the evaluation was characterized by consultations with stakeholders including; OPM and Ministry of Education and Sports. This consultations enabled the evaluation team to select the target group, define the scope of the evaluation, generate the evaluation questions, design data collection tools and finalize the evaluation design matrix and the evaluation protocol. It is evident that a one day workshop was held to develop the programme's theory of change involving stakeholders from the Ministry of Education and Sports, Office of the Prime Minister and representatives from 3ie in Uganda. Though not all stakeholders or actors at every stage of results were involved to define the results there is evidence that some consultations were made. Those actors that make results happen such as the contractors of classrooms, latrines and teacher's houses; district education officers, District inspector of schools: teachers and teachers unions; and the parents and or children ought to have been consulted on the results of this intervention. These categories of stakeholders come in later at fieldwork (information gathering) stage, which makes stakeholders more of informants, which is against gender responsive principles that require involvement of most stakeholders in early stage of evaluation design. This enables them to appreciate the design, the protocol and the

approach to the study and are able to participate actively in subsequent stages.

Gender responsive evaluations requires that the evaluation team conducts a stakeholder analysis during the process of determining the sampling frame i.e who to involve and not to involve at different stages of the study. The methodology show that stakeholders were widely consulted from 15 zones of the country and school that were involved were selected based on best performing schools and worst performing schools. However, the sampling was informed by; the degree of precision (reliability) desired for the survey estimates, the cost and operational limitations and efficiency of the design. The sampling used probability sampling methods that do not purposively target certain categories. There were no factors like availability of key stakeholders such as children and parents, vulnerable group's e.g children with special needs which would possibly bring their voices into the research, etc. The evaluation therefore did not recognize diversity in the sampling frame and possibly that is why studies were undertaken during holidays denying a chance to those children and parents who would be active during school term.

An analysis of the evaluation questions shows that some questions pointed to outcomes focused on equity and gender and yet other questions that related for instance to cost efficiency did not. For instance those that were equity and gender specific include;

DAC Criteria	Type of Questions Asked
Relevance	• Whether the programme improved equitable access and made UPE affordable to the poor were asked • Whether there has been an increase in enrolment for girls • Whether UPE brought education closer and empowered remote communities
Effectiveness	• Did the programme lead to equitable access to schooling? What are the trends in NER by gender? • Do people who enroll actually attend? What is the situation in rural areas and by gender?
Sustainability	• Are there innovations that cater for continued service delivery for vulnerable and disadvantaged groups in society

The design of this process evaluation did not necessarily specify that some of data sources include women and other vulnerable groups. This is evidenced by the type of stakeholders that were consulted at the district and school levels. The evaluation did not specify for instance whether the FGDs were for women or men, pupils included boys, girls or children with special needs and whether teachers were men or women.

The evaluation also included key informant interviews but it does not specify whether those interviewed should have been men or women. The key informant interviews focused on offices and it is not surprising that out of 31 stakeholders consulted at national level (as evidenced by a list of interviewees attached on the report), 21were men and only 10were women, because it is men who most likely occupy those offices that were consulted. Even at local government level, key informants included; RDCs, CAOs, Local Authorities (including LCIII, IVs, and sub-county chiefs),

DEOs, DISs, CCTs, Foundation bodies, SMCs, school head teachers, teachers, pupils, parents/guardians, community and NGOs, respectively but it does not specify that some sources should include women and vulnerable categories.

In terms of data collection methods and processes, the evaluation used mixed methods of data collection. These included; a) literature review, b) Focus Group Discussions using Participatory Appraisal Techniques, and c) Individual in-Depth Interviews. The methods used were participatory in nature and allowed inclusion of people's views. However, the methods did not necessarily allow stakeholders to define what data should be collected and recorded. This is because data collection tools were developed at design level. Tools of data collection were developed for every category of respondents, they were pre-tested and some efforts were made to present sex disaggregated data like on issues of enrolment, literacy, and completion rates and efforts were made to capture rural-urban differentiated data on these issue. The tools were culturally appropriate since they were pretested. However some issues that needed gender lenses like accommodation for teachers and affordability of UPE by parents such as single mothers, parents with special needs children were not captured and presented by gender.

A review of the evaluation report shows that the evaluation employed a flexible approach to some extent. For instance in some cases the evaluation team met drunkard teachers who could not express themselves and in such cases interviews were rescheduled. In some cases, school administrators needed over an hour to trace records on school expenditure due to poor record keeping. However, the evaluation team was patient to wait and accesses the required information. This make the study flexible and took a bit longer than anticipated.

In terms of data analysis, a review of the report shows that the analysis was done by the evaluation team. Quantitative data was compiled and analyzed using the computer Statistical Package for Social Scientists (SPSS) and STATA, while qualitative data was analyzed for content. Results were validated through holding a number of workshops which shows that efforts were made to involve many stakeholders. Although the author of this paper did not access the data analysis frameworks, the evaluation report shows that efforts were made to present gender disaggregated data, give information on gender equality indicators and show that the UPE intervention affects boys and girls differently. However, the report does not show the gender equality indicators on other stakeholders like teachers, the aspects of accommodation, and yet the school facility grant that was being evaluated also targeted teachers.

In the recommendations of the study, it is evident that the research endeavored to draw attention to gender and equity gaps and how to close them. Out of the 18 recommendations made, the following recommendations regarding instruction materials, toilet facilities and meals for children are explicit about gender and equity (extracts from the report).

It was widely noted that most schools lack instructional materials for pupils with special learning needs. It is essential that adequate instructional materials are provided to schools and specialist teachers are deployed to attend to such pupils.

Construction of toilet facilities with separate stances for male and female pupils should be effectively implemented among all schools in the country and ensure that they are hygienically user friendly. Besides, teachers need to have sanitary facilities separate from those used by the pupils.

Emphasis should be pressed on parents to provide meals to their pupils if they are to realize better performance outcomes. Providing meals could protect girl children from being misguided by opportunistic men who appear to capitalize on their challenge and end up defiling them in exchange for pancakes for lunch. Government through the district authorities, departments and agencies should carry out sensitization drives on the purpose of feeding pupils.

Conclusions

The process evaluation of the UPE programme in Uganda conducted by OPM in 2016 was partly gender responsive and gender blind at the same time. The evaluation report shows that efforts were made to present gender-disaggregated data, give information on gender equality indicators and show that the UPE intervention affects boys and girls differently. However, the report does not show the gender equality indicators on other stakeholders like teachers. The methodology of undertaking the evaluation was largely gender blind, save for the seemingly gender responsive programme that enabled the evaluation to capture and report on some gender specific indicators. To enhance gender responsive evaluations, the OPM needs a deliberate attention to gender and equity in its evaluation methodology. Among others - gender responsive evaluations require that the evaluation team conduct a stakeholder analysis during the process of determining the sampling frame.

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