

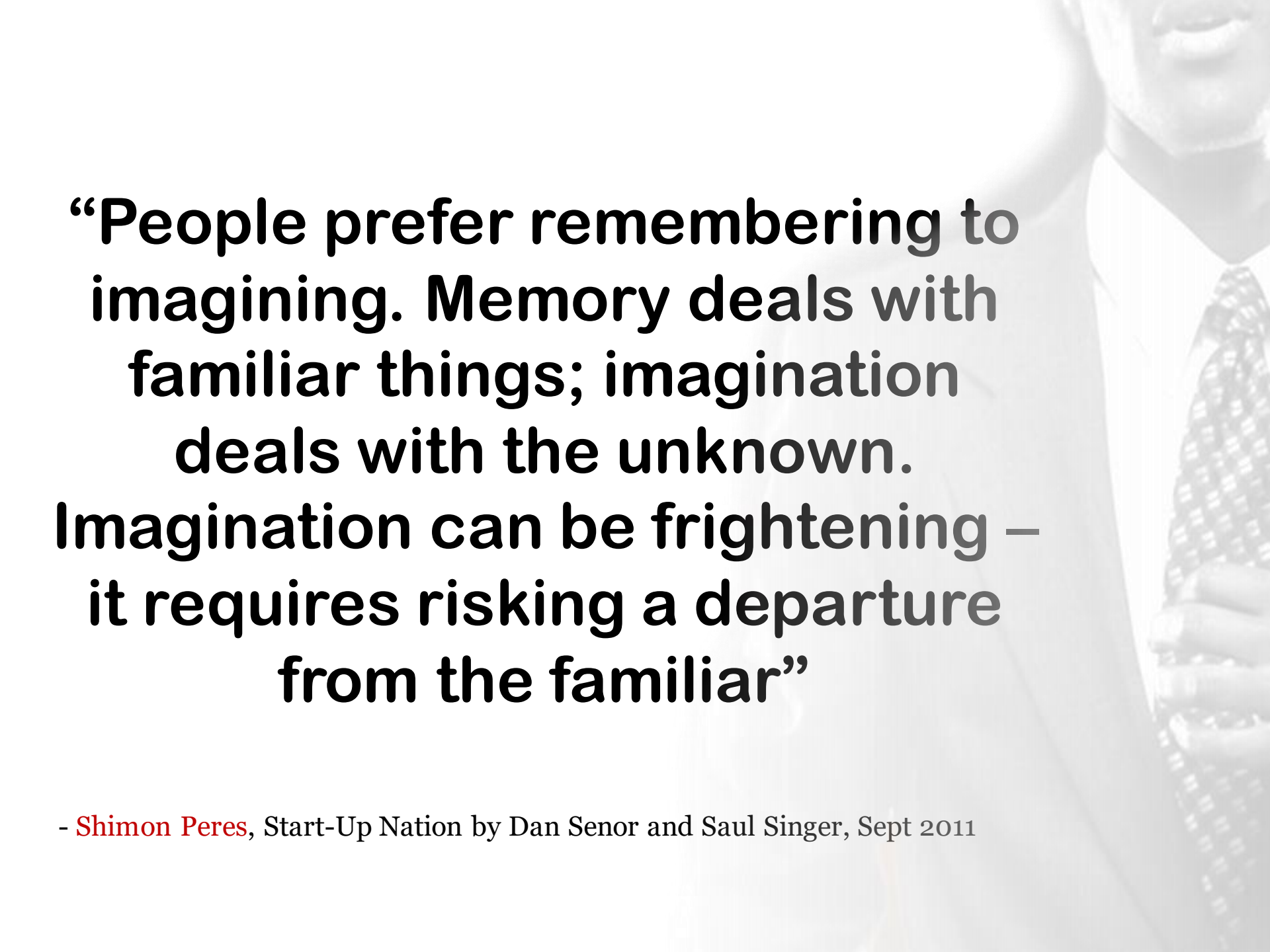


# **Innovative Governance and Effective Service Delivery:**

## **Perspectives From The Private Sector**

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Abeokuta, February 20, 2017



**“People prefer remembering to  
imagining. Memory deals with  
familiar things; imagination  
deals with the unknown.  
Imagination can be frightening –  
it requires risking a departure  
from the familiar”**

- **Shimon Peres**, Start-Up Nation by Dan Senor and Saul Singer, Sept 2011

# Four things I wish to achieve

- 💡 **Examine the role of Government, its framework and realities.**
- 💡 **Interrogate the CITIZEN CENTRIC GOVERNMENT – Separate Innovation from routine “kick & start” governance**
- 💡 **PROSPECTS – raise issues around the Innovation the South West deserves.**
- 💡 **PRECEPTS – The signaling effect in service delivery**


# 1. **The GOVERNMENT: Role, Framework and Realities**



# Where it all begins from....



## ....The **CONSTITUTION**

- 💡 It is self evident (a truism) that the provisions of Constitutions of most democratic countries remain the **organic law**, the **supreme law** and the **grundnorm** from which every other law must originate or be rooted.
  - 💡 The foundation and indeed the central role of government is therefore established in its constitution.
  - 💡 It is also an established fact that government is formed to serve the people in whom sovereignty resides.
  - 💡 Therefore, the economic development of a sovereign is the constitutional **responsibility of a government** and constitutes **rights of the citizen**.
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## Right to Good Governance & Effective Service Delivery ....

💡 These rights are provided for in chapter II of the CFRN 1999 in sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 under the *Fundamental Objectives and Directive Principles of the State Policy* of the **economic**, **social** and **cultural** rights otherwise referred to as Policy Directives Rights.

💡(13) It shall be the duty and responsibility of all organs of government, and of all authorities and persons, exercising legislative, executive or judicial powers, to conform to, observe and apply the provisions of this Chapter of this Constitution.

💡S.14 (2) It is hereby, accordingly, declared that:

(b) the **security** and **welfare** of the people shall be the **primary purpose** of government:

## Limitations of applicability of chapter 2 provisions....

💡 However, this chapter is non-justiciable by virtue of section 6 (6) (c) of the same constitution.

*(c) Shall not, except as otherwise provided by this Constitution, extend to any issue or question as to whether any act or omission by any authority or person or as to whether any law or any judicial decision is in conformity with the fundamental Objectives and Directive Principles of State Policy set out in chapter II of this Constitution.*

💡 Examination of the implications of such non-justiciability show that citizens cannot obtain redress from the courts if denied their socio-economic, developmental and other rights provided for in Chapter 2 of the constitution.

💡 It is therefore a formidable impediment to socio-economic development

# The importance of chapter 2.... and examples from other climes

💡 Chapter II of the CFRN contains the economic and social rights as provided in the International Covenant on economic, social and cultural rights otherwise called the ECOSOC rights which forms part of the international Bill of rights.

💡 Thus the ECOSOC rights are part of human rights. Even when such rights are not made fundamental as provided in chapter IV of the CFRN 1999. Making such rights constitutional provisions make the rights worthy of being challenged in the Courts of Law to encourage good governance and accountability to the citizens as legal obligations.

💡 It is proper for Chapter II of the CFRN 1999 to be guaranteed as fundamental as demonstrated in the **South African 1995** and **Uganda 1995** Constitutions. It presupposes that questions must be asked on the provisions of chapter II and the Courts must interpret it to meet the justice of any situation.

## Economic rights are human rights.....

💡 The inaugural address position of the former Chief Judge of India (Blagnati 1988) at all judges colloquium held in Bangalore becomes very instructive as he opined thus:

- *...human rights depend fundamentally on right to life and personal liberty which is a core human right. The right to life is **not confined** merely to physical existence but it includes also **the right to live with basic human dignity, with the basic necessities of life such as food, health, education shelter etc...***

💡 These human rights fall within the category of social and economic rights and they can be realized only by affirmative action on the part of the state and if the state fails to carry out its constitutional or legal obligations in enforcement of these human rights, it may have to be compelled to do so by an activist judiciary as demonstrated in *Education of Uunikrish J.P. v State of Andhra Pradesh* (1992) SC AIR.

# Kenya - Economic rights as a constitutional right.....

💡 Most older constitutions, protect only negative rights – rights that take power away from the State by imposing duties on the State not to do certain things: not to torture people; not to restrict the right freedom of speech; not to discriminate against people; and so on.

💡 But, more recent constitutions recognise that these rights don't mean much if people are starving, have no access to shelter, or have no education. So new constitutions usually also include what are called social and economic rights.

💡 The **Revised Kenyan Constitution** follows suit and Article 43 of the Bill of Rights protects the rights to:

- Health care, Housing, Reasonable sanitation, Freedom from hunger and adequate food, Clean and safe water, Social security, and Education

# How does a society develop without accountability....?

- 💡 It is worrisome that the Nigeria state in embracing human rights issue maintained a dichotomy between the **Civil** and **Economic/Political** rights in the constitution of Nigeria since 1960 under the fundamental human rights provision.
- 💡 After the 1960 and 1963 Constitution, these rights were provided for in Chapter IV of the 1979 and 1999 justiciable per se in Chapter III.
- 💡 The economic rights appeared for the first time in the Nigeria constitution in the 1979 under Chapter Ii as Fundamental Objectives and Directive Principles of State Policy.
- 💡 Interestingly, the observation and preservation of these *non-justiciable* rights from part of the **oath of office** of person(s) exercising legislative and executive powers thus:

# An Oath of Office linking economic rights....mere pledge?

💡 Instructively, both the Oath of Allegiance and the Judicial oath for judges do not contain the preservation clause....

***...that I shall strive to preserve the fundamental Objectives and Directives Principles of state policy contained in the constitution of the Federal Republic of Nigeria.***


## OATH OF OFFICE OF PRESIDENT

I \_\_\_\_\_ do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria: that as President of the Federal Republic of Nigeria, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as President of the Federal Republic of Nigeria, except as may be required for the due discharge of my duties as President of the Federal Republic of Nigeria, except as may be required for the due discharge of my duties as President; and that I will devote myself to the service and well-being of the people of Nigeria.

So help me God.

## Where it must all start from....



- 💡 Thus, the constitution will appear to have made ample provisions for economic and social rights on one hand, but it has taken it away on the other hand through the provisions of another section in the same constitution
  - 💡 This contradiction effectively strips citizens of their rights to innovative governance and effective service delivery.
  - 💡 This can be rectified by an executive bill that seeks to give chapter 2 its natural intendment; by removing the obstructive provision to good governance.
  - 💡 More important however is that civil society has a key role in ensuring that this foundational accountability plank is in place.
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“We learnt that to solve  
a problem, the  
**DIAGNOSIS** must not be  
tunneled vision?”

..we must recognise that this is current state is NOT another crisis...it  
is a disruptor in models... **RE-IMAGINE!!!**



## **2. CITIZEN CENTRIC GOVERNMENT: Separating Innovation from Routine Governance**



# Innovations in Governance



● Despite the constitutional limitations, government must go beyond the token quality improvement approaches of the past decades into a step change in the overall **efficiency**, **effectiveness** and **responsiveness** of government and its public service organizations.

● While some commentators focus primarily on innovation as a contribution to **improving service delivery**, others also recognise its potential for **reclaiming some legitimacy of government as a value-creating institution**, by being more **responsive to the needs and aspirations of citizens and users of services**.

● The seeds of change that berths a new sovereign often always grows from the imagination of leaders and citizens willing to discover the riches of scarcity....as we saw happen in the early 2000's




# RECALL: Characteristics of Innovative Governance

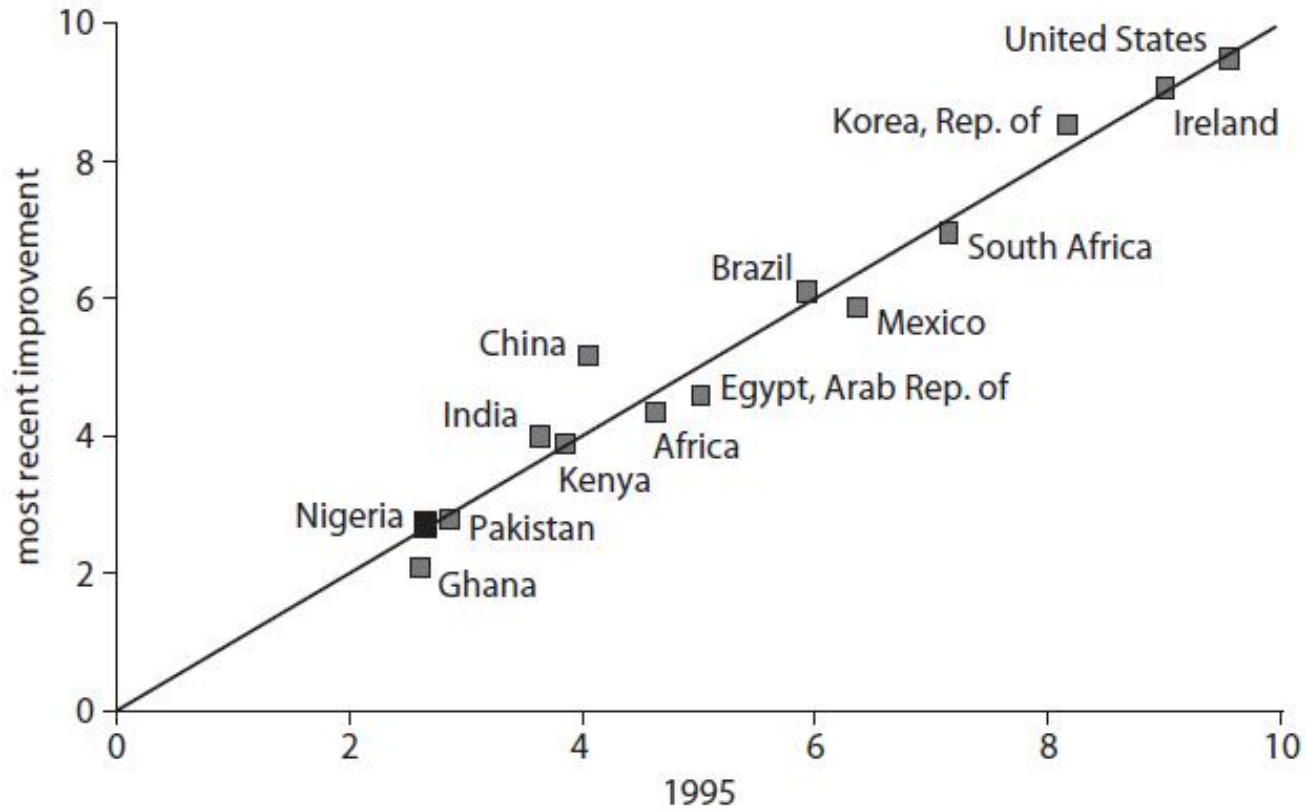


In reviewing existing governance practices and the understanding of innovations; there exists a gap.

## **Characteristics of Innovation in Governance**

1. more than mere ideas, they are new ideas and practices brought into implementation;
  2. original, disruptive, and fundamental transformation of an organization's core tasks;
  3. large enough, general enough and durable enough to appreciably affect the operations or character of the organization;
  4. must not simply be another name for change, or for improvement, or even for doing something new lest almost anything qualify as innovation; and
  5. may also include reinvention or adaptation of an innovation in another context, location or time period.
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# World Innovation Improvements since 1995



Source: World Bank Knowledge Assessment Methodology 2009.

# Thinking of going from efficiency to innovation?

- 💡 Nigeria is at the “factor-driven” stage of development, according to Michael Porter’s stages of national competitive development.
- 💡 Developing countries at this stage tend to rely mainly on things such as **natural resources** and **unskilled labor**, while seeking to move to the “*investment-driven*” stage, where the transfer of technology and investment in human and physical capital allows them to prepare the ground for the “*innovation*” stage—the knowledge-driven economy (Porter 1991).
- 💡 This can be achieved in a business climate in which risk is embraced and good ideas are given a chance to grow. This is the key role for the private sector, civil society organizations and government

# Our Reality...

- ❗ Whereas there is a lot of rhetoric around the fact that we are a private sector led economy (*economic dev plan since 1999*), the truth of the matter is that government is too dominant in the economic sphere.
- ❗ **The direct consequence** of which is that the innovative spirit that should foster efficient, effective and responsive behaviour (*effective service delivery*) is not allowed to thrive.
- ❗ In the governance equation of which the private sector is very relevant, government has adopted policies that would have met the characteristics of innovation such as : Indigenization Decree of 1970, Nationalization, Liberalization, Privatization and Deregulation to mention a few..
- ❗ Yet, while we understood the concepts; we did not get it right for a number of reasons; viz: *deficiencies in legal frameworks, political influence, self-interest and tenure - a “kick & start” governance approach.*

# Some Examples ....

## Good Intentions, Bad Politics

- 💡 Metroline (LKJ move)
- 💡 Delivery of a 6-lane super highway –
- 💡 The MM2 Airport -
- 💡 Rail Transportation
- 💡 Waivers issued on discriminatory basis
- 💡 Incentives
- 💡 Subsidy & Rentier system
- 💡 Border trades

## Inhibitions

- 💡 Political leadership
- 💡 Ethics in governance
- 💡 Capacity – human & technology
- 💡 Fiscal Federalism i.e. RAMFAC allocation system to states
- 💡 Distribution of Powers between the 3 tiers of government under current federal structure
- 💡 Residual list
- 💡 Exclusive List
- 💡 Concurrent List
- 💡 Land Use Act
- 💡 Accountability & Transparency
- 💡 Ease of doing business issues

# INNOVATIONS IN GOVERNANCE: Some illustrative & challenging Examples

- 💡 Innovative governance is NOT road repairs, water projects, building of market stalls, drainage and free transportation during holidays...
- 💡 It is a new way of thinking ...of models & templates for driving excellence and solving a problem.
- 💡 Innovative governance is Catalytic in mobilizing change and exploring a range of new partnerships with business and civil society (***The Lagos State Adopt-a-School Programme***)
- 💡 Innovative governance shifts public institutions from Rule-Driven Government to Mission-Driven Government (***Transforming of CAC which show it eliminate many rules to remove bottlenecks to faster business registration***)
- 💡 Innovative governance injects competitive into public service deliver (***the Performance-Based and Target Driven Tax Collection and IGR Generation System in Lagos***)

## Separating the usual from the needed.....

- 💡 Innovative governance explores Government methodology “**Earning rather than spending**” – Rather than spending money on managing defacement in Lagos the simultaneous creation of Signage Laws and Signage Authority create new earning streams.
- 💡 **Decentralization:** From Hierarchy to Participation and Teamwork – One Stop Shop Citizen Experience that collapses complex Hierarchical Procedures and build Agile Teams that focus on delivering Public Services cheaper, faster and better
- 💡 **Market-Oriented Government** – Leveraging Change through the Market – Strategic Concessioning Model that creates a Market Forces led government business model – Lekki Concession Company

# Drawing the lines .....

## Innovations or Good Governance – Some Examples :

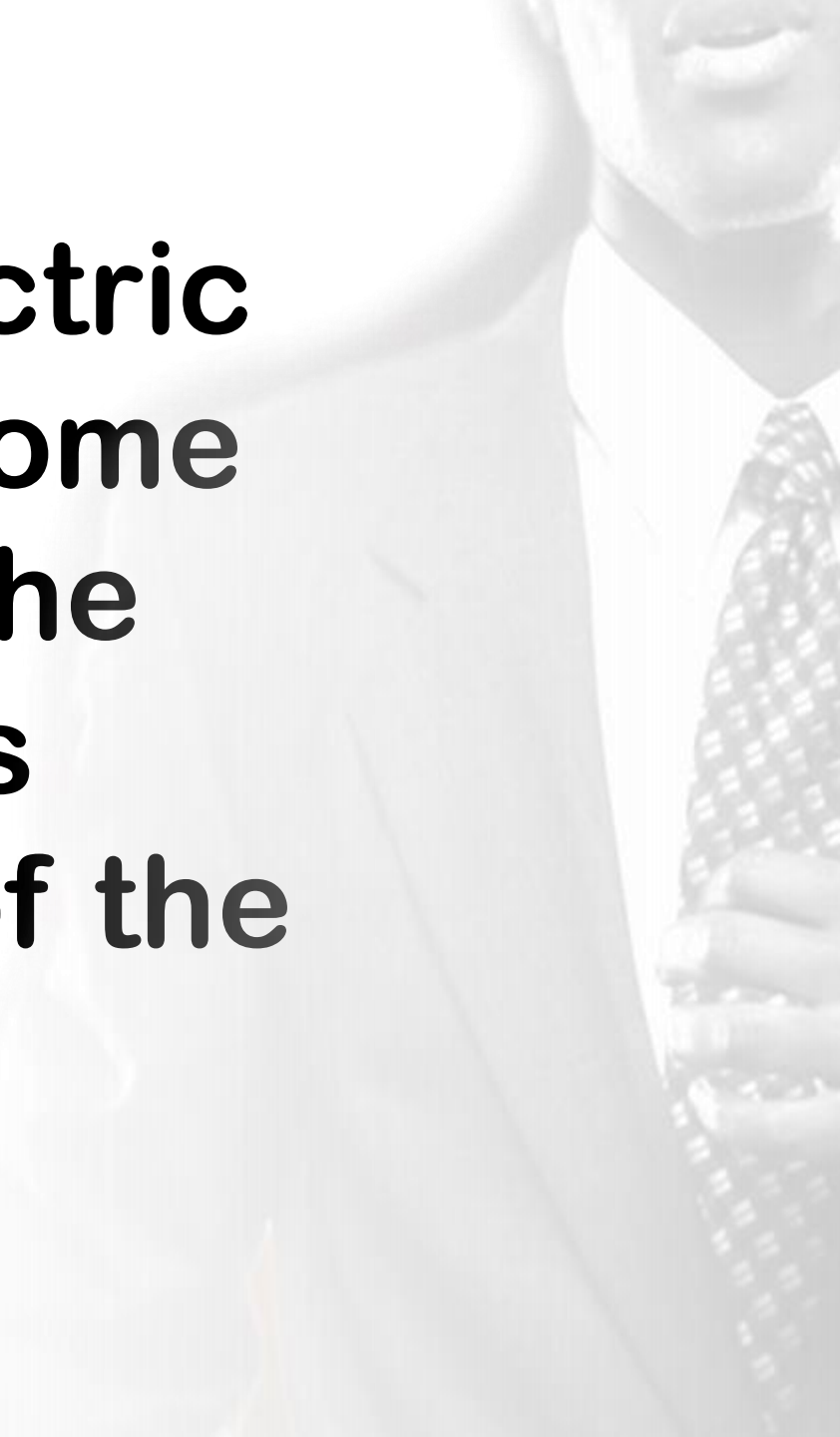
- Internet/GSM
- Servicom & Lagos State Service Delivery Reforms
- Revenue reform in LASG
- LAMATA (*akin to how UK dealt with congestion problems*)
- Public Defenders Office and Justice Administration in Lagos State
- Govt – Citizen Engagement in Lagos State
- 30-day Building plan approvals in Lagos State / Land Use Registry
  
- Ease of Doing Business in Ogun State – **WIP**
- Affordable health insurance scheme of N5,000:00 The **ARAYA** –
- Agric extension training scheme for Agric graduates Ogun State

Are the standards so low that normal service masquerades as innovation?

# Regional Integration in the SW....?

- 💡 Regional integration of the South West is a return to the original template that created the boost for the SW. Yet, this new move cannot be a replication of the “Awo” plan **but** a new way of thinking - 4<sup>th</sup> industrial Revolution basis...
- 💡 Stronger regional integration is also possible through the ECOWAS and produce positive cross-country spillovers; with extraordinary opportunities as well as responsibilities in pushing the innovation agenda in the sub-region.
- 💡 Leveraging on its economic and political influence, it could support regional initiatives aimed at productive exchanges if able to overcome the foreign language issue, a barrier to profitable trade exchanges of raw materials, managerial know-how, and other inputs in the ECOWAS.
- 💡 Adoption of a new, harmonized system of trade tariffs represent very encouraging steps toward regional integration and the basis for other key projects and exchanges in the future, which can support the spread of ideas and know-how throughout the sub-region.
- 💡 Finally, the Diaspora represents a driving force behind Nigeria’s economy efforts and we can learn from the Indian, Chinese and Jewish models for sovereign development and expansion/growth.

**...Edison's electric  
light did not come  
about from the  
continuous  
improvement of the  
candle...**




# **3. PROSPECTS: The Innovation the South West Deserves**



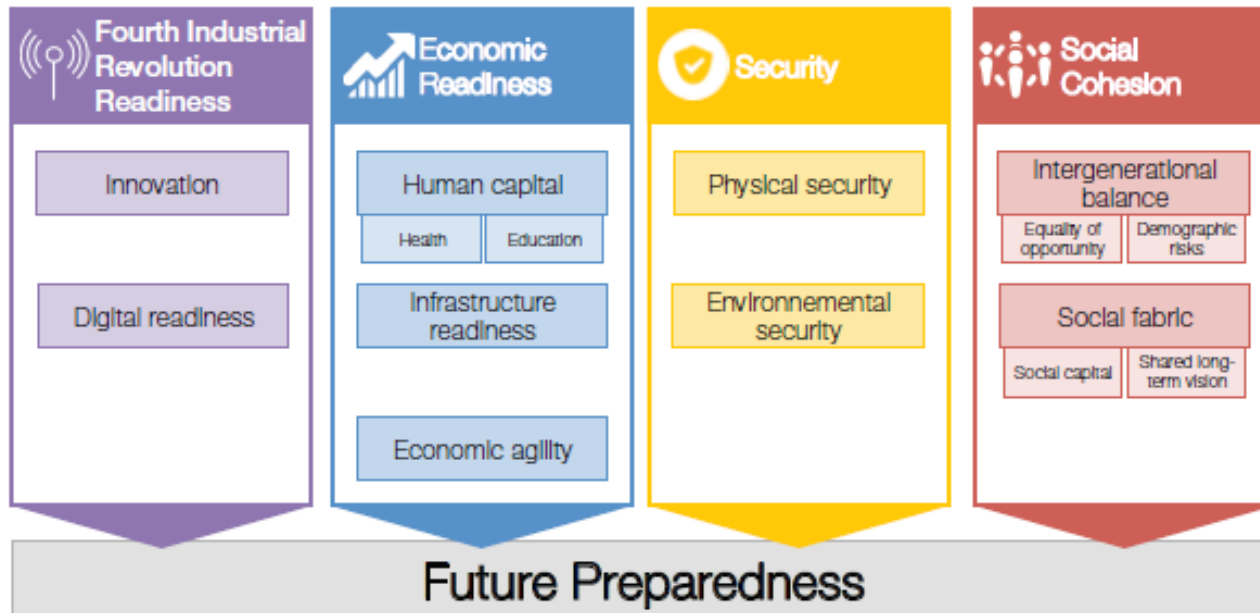
## Why this is essential...beyond politics....



- ❗ Everyone wants their children's generation to enjoy a better quality of life than their own. However, leaders are often too focused on short-term planning horizons to take seriously the long-term issues that will determine what kind of world future generations will inherit. The increasingly rapid pace of change makes it especially difficult to address challenges and opportunities that will play out over several decades.
  - ❗ One way to encourage decision-makers towards longer-term thinking would be to enable them to benchmark how well prepared their societies currently are for the uncertainties of the future.
  - ❗ Until now, no such tool has existed. In January 2017, a **Future Preparedness Framework** was developed to fill the gap..
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# The 9 categories of the Future Preparedness Framework

- Building on existing work as well as quantitative and qualitative data at the country level, the proposed WEF framework will enable policymakers and the public to compare their own future preparedness with that of peer countries across four dimensions comprising nine categories




# The Four Dimensions

- **Fourth Industrial Revolution readiness** The rapid development and convergence of emerging technologies will create unprecedented challenges and opportunities in the coming years. The Future Preparedness Framework will include two categories: **a country's digital readiness and its capacity to stimulate innovation.**
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- **Economic readiness** Countries at all levels of development can lay the foundations for improved economic performance in the future by investing smartly in two categories: **infrastructure and human capital**, including education and health. A third category in this dimension is economic agility, which will measure whether the business environment is forward-looking and responsive.
- 
- **Security** The two categories here are physical security, as countries which minimize wars, conflict and interpersonal violence are better prepared to prosper in the future; and environmental security, measuring whether countries are using their natural resources sustainably, maintaining their natural environment and putting in place measures to cope with the expected impacts of climate change.
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- **Social cohesion** Most countries are facing some form of **demographic risk which they need to address to ensure equality of opportunity for the younger generation** – topics considered under the heading of intergenerational balance. The second category, social fabric, covers *social capital* – which influences resilience to shocks – and whether there is a *shared long-term vision* to facilitate political decision-making.

# Look at another way....



- **Fourth Industrial Revolution readiness.** The accelerating pace of progress and systemic interactions among converging digital, physical and biological technologies raises fundamental, long-term challenges for economies at all levels of development. The measures put in place today to embrace this global transformation will determine the level of prosperity and well-being of every single country in the medium and long term. Countries that do not prepare will fall behind. The framework benchmarks the extent to which countries are preparing for this transformation in two categories: innovation and digital readiness.
  - **2. Economic readiness.** Capturing future economic opportunities requires continuous investment in infrastructure and human capital and necessitates an economy that can adapt to change and be resilient to economic shocks.
  - **3. Security.** Basic security, a prerequisite for human progress, requires deliberate cultivation and sustained stewardship that transcends the political cycle. The framework benchmarks conditions suggestive of future security in two categories: environmental security and physical security.
  - **4. Social cohesion.** Future welfare requires a society to balance the interests of generations and foster a common vision for progress based on civic participation, rule of law and trust. The framework includes two categories of societal cohesion: intergenerational balance and social fabric.
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# Benchmarking and using Singapore as a Case study

- 💡 **Future-Ready** Singapore
- 💡 **SkillsFuture:** A comprehensive framework to enable the culture and practice of lifelong learning
- 💡 **“Smart Nation”** – Harnessing digital technologies to create and enable new opportunities
- 💡 **Research Innovation** and Enterprise (RIE) 2020
- 💡 **Future Preparedness:** A Conceptual Framework for Measuring Country Performance Promoting a cohesive multi-racial society
- 💡 **Bringing it all together**

# Future-Ready Singapore

- As a small island-nation with no natural resources, **staying relevant and adaptable** is an existential necessity for Singapore.
- Thinking long-term about the challenges and opportunities of the future is therefore an integral part of the Singapore DNA.
- It is harder than ever before, though, to discern the main currents and eddies of the future given the rapid and unpredictable changes brought about by technology, globalization and major geopolitical shifts.
- Nevertheless, Singapore has embarked on key broad-based strategies that should help make it more future-ready.

# Skills Future

- 💡 This is a comprehensive **framework to enable the culture and practice of lifelong learning**
- 💡 Singapore has always kept a singular focus on talent and invested heavily in education with considerable success, as reflected by the top PISA score placements achieved by its schools, and the high global standing of its universities. Building on traditional strengths in math and science, in recent years, there has been enhanced emphasis on new areas such as computational thinking, as well as creativity and holistic personal development.
- 💡 However, the most important of the new thrusts is the national SkillsFuture initiative, which aims to help Singaporeans develop the mastery of skills required across the lifetime of their careers, and to acquire enhanced and/or new abilities needed in the rapidly changing workplace of the future. At an aggregate level, it will help Singapore's workforce become more responsive to more rapid and unpredictable economic and job cycles in the years ahead.

# “Smart Nation”



- 💡 This is about harnessing digital technologies to create and enable new opportunities
- 💡 The Smart Nation vision was launched by Prime Minister Lee Hsien Loong in 2014 to harness digital technologies to improve lives, create new jobs and promote a more cohesive society. One key thrust will be to build further on Singapore’s world-class infrastructure and making it even more secure – today, 9 in 10 households have broadband, mobile phone penetration is nearly 150% and cybersecurity is a high national priority.
- 💡 However, as noted by the Vivian Balakrishnan, Minister for the Smart Nation initiative, Singapore needs to get ahead of the curve. “We need to be the masters of the new technologies, rather than trying in vain to compete for the lower-value parts of the chain that are being transformed.”
- 💡 Smart Nation provides an enabling platform for government, businesses and the public to co-develop novel programmes and exploit new opportunities. This would require, and in turn foster, innovation and new skills and mindsets.

# Research Innovation and Enterprise (RIE)

- 💡 Talent, research capabilities and innovation sit at the heart of Singapore's continued heavy investments in R&D.
- 💡 The key thrusts are targeted not just at growing research strengths, but also in making Singapore one of the world's entrepreneurial hubs. These ongoing efforts are achieving promising results.
- 💡 For example, the Economist magazine in 2014 described Singapore's Block 71 start-up incubator complex, as "the world's most tightly packed entrepreneurial ecosystem".
- 💡 Singapore has also been rated the best performing Asian country in Asia Pacific in the Global Innovation Index (GII) 2015, co-published by Cornell University, INSEAD and the World Intellectual Property Organization (WIPO).

# Future Preparedness



- 💡 This is a Conceptual Framework for Measuring Country Performance Promoting a cohesive multi-racial society
  - 💡 In tandem, as societies around the world are exposed to greater polarizing forces, Singapore has actively redoubled its long-standing efforts to promote the deep relationships of trust between different groups, which underpin its harmonious multi-religious, multi-racial society.
  - 💡 These also contribute to the social and psychological aspects of preparedness for, and prevention of, new security threats such as terrorism.
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# Bringing it all together

- 💡 These broad-based strategies serve as critical horizontal platforms which help enable exciting new sectoral initiatives for the future.
- 💡 For example, in 2015, the Monetary Authority of Singapore set out its vision for a Smart Financial Centre where innovation is pervasive and technology is widely but safely used. MAS has launched several initiatives, working closely with industry and academia. These include critical infrastructure for innovation such as a national KYC infrastructure (to know the identity of a customer), and a blockchain infrastructure for cross-border inter-bank payments. In addition, programmes to stimulate the growth of a vibrant FinTech innovation ecosystem are ongoing, alongside regulation that is conducive to innovation.
- 💡 It is often said that the best way to predict the future is to try to create it. This is certainly our hope in Singapore, that we should not just be preparing for a future created elsewhere, but be an active player in helping to shape that future for the benefit of all.

# “Pain is Inevitable but Suffering is Optional?”

..for the birds of hope are everywhere, listen to them sing..



# 4. **PRECEPTS:** Present sustainable execution imperatives



# The Principles of the Innovation we Need

## Ten themes of Osborne & Gaebler's *Reinventing Government*

Catalytic	Steering, not rowing
Community-owned	Empowering, not "serving"
★ Competitive	Put competition in service delivery
Mission-driven	Not rules-driven
★ Results-driven	Focus on outputs, not inputs
Customer-driven	Customer needs, not bureaucracy's
Enterprising	Earning, not spending
Anticipatory	Prevention, not cures
Decentralized	Teamwork, not hierarchy
★ Market-oriented	Leverage change via the market

# The Scope of the Innovations we deserve

**Alternative  
Service delivery**



- Privatization
- Public-Private partnership

**Customer  
responsiveness**



- Cheaper, quality, and fast service
- Options & choices

**Re-engineering**



- Streamlining
- One-stop shop
- De-layering

**Decentralization**



- Local autonomy
- Empowerment

**Competitiveness**



- Markets
- Incentives

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# Thank You



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