# When bottom-up and top-down meet

The ADDIS process and the co-creation of the Nigeria Startup Act

by Jon Stever

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#### Abstract

On October 19, 2022, the President of Nigeria signed a citizen-drafted bill into law. This case traces the policy-making journey of the Nigerian Startup Act over five years, examining the application of the "ADDIS Process" on a complex problem, the overhaul of public policies affecting entrepreneurs. The ADDIS Process is a collective intelligence framework developed by the pan-African Innovation for Policy Foundation (i4Policy) and developed through participatory practice in more than fifty countries.

## THE STORY

"It's time to innovate on economic policy in Africa. We aren't asking our governments to listen to us, rather we want to work with them to co-create policies that work for the innovation community." This call to action by Markos Lemma, co-founder and managing director of iceAddis, a community innovation hub based in Ethiopia, exemplifies a new wave of collaborative problem-solving taking shape on the African continent.

Instead of waiting for civil servants and elected politicians to create better regulations, communities across Africa are applying entrepreneurial problem-solving techniques to develop better laws and policy frameworks with their governments. The energy and creativity of youth has long been heralded as a critical asset for social and economic transformation of the continent. But as Ory Okolloh, a Kenyan activist, lawyer, and blogger, once put it, "We can't entrepreneur our way around bad policies." Now a generation of youth are asking whether they might rather entrepreneur the better policies.

This trend has been fuelled by an explosion of "third places" in many African countries – community spaces outside of home and work where people come together to share ideas,

and collaboratively develop new skills, ventures, and social actions (Oldenburg 1999). Estimates suggest that the number of community innovation hubs across the continent increased from around 100 in 2013 to more than 600 in 2019.<sup>1</sup> These innovation hubs not only expand access to business development services, markets, finances, and networks but also provide a base from which to birth new collective actions and to put new policy reform ideas on the table.

In November 2016, a group of 25 innovation community leaders from across Africa came together in Rwanda at one such innovation hub, the Impact Hub Kigali, to start imagining a better way to work with their governments. They called themselves "Innovators for Policy" (or "i4Policy"), and began collaboratively drafting what later became the Africa Innovation Policy Manifesto, a document setting out policy priorities and inviting governments to work with young people and communities to make better laws.<sup>2</sup>

This Manifesto highlighted topics such as easing mobility for Africans to travel within Africa and simplifying regulations to operate businesses. The publication of the Manifesto, with its explicit call for collaboration, led to an immediate request from the Rwandan government to crowdsource inputs into a national strategy for private sector development and youth employment. Successful first engagements with the Rwandan public sector led naturally to requests from other governments and communities, on and beyond the African continent, seeking to collaboratively develop public policies that could boost economic growth, youth employment, innovation, and human development.

## **CO-CREATING THE NIGERIA STARTUP VISION AND ACT**

"What would happen if you could get entrepreneurs, students, and business support providers to step into the shoes of policymakers for a day?" This was the question posed by members of the i4Policy community in bottom-up policy co-creation sessions in Lagos and Abuja, Nigeria, in March 2018. These community-organized activities, called policy hackathons, aimed to crowdsource a legislative agenda to accelerate entrepreneurship and youth employment.<sup>3</sup>

For decades, Nigeria's development was dependent on the exploitation of natural resources like oil and gas. In recent years, a new wave of entrepreneurs and technologists has appeared in sectors ranging from banking, health, fashion, and education, but many of these new companies have struggled with the requirements of a largely outdated regulatory code

<sup>&</sup>lt;sup>1</sup> See Kelly and Firestone (2016) and

www.gsma.com/mobilefordevelopment/blog/618-active-tech-hubs-the-backbone-of-africas-tech-ecosys tem/, accessed Sept. 5, 2022.

<sup>&</sup>lt;sup>2</sup> See

https://qz.com/africa/1255296/startup-and-innovation-hub-leaders-are-taking-the-lead-in-shaping-digita l-policy-in-africa/ and www.facebook.com/i4Policy/videos/918076765039392/, accessed Sept. 5, 2022.

<sup>&</sup>lt;sup>3</sup> See <u>https://guardian.ng/features/nigerias-first-multi-stakeholder-policy-hackathons-held-in-lagos-and-abuja/</u>, accessed Sept. 5, 2022.

and the overlapping mandates of government agencies. Laws, policies, institutions, and regulatory decisions have not kept pace with the energy and innovation of entrepreneurs.<sup>4</sup>

With these stakes clearly in view, more than 100 citizens participated in the policy hackathons across Nigeria's economic and political capitals. Asked to role play "Senior Special Advisors" for the President, participants were tasked with developing policy proposals to accelerate job creation and innovation-led economic growth in Africa's most populous nation. Their work started with a facilitated brainstorm in the morning, exploring the challenges and constraints of doing business in Nigeria at the different stages of a business's journey from ideation to registration and growth. These challenges then inspired a round of proposals, with each "advisor" invited to pitch a solution to their peers.

Through the course of the first day, common themes began to emerge, such as tax and education reform, directing public procurement opportunities toward indigenous innovation, improving business registration, and extending broadband internet infrastructure. Using a special form of Open Space Technology (Owen 2008) called a "BarCamp", participants then clustered proposals and autonomously formed groups to shape their ideas into legislative templates offering an overview of how a policy intervention might work to solve the problems they identified.<sup>5</sup>

"The room was buzzing with ideas and enthusiasm all day, and we pretty much had to be stopped, or we could have kept going into the night," recalls Sanusi Ismaila, the founder of CoLab, Kaduna State's first innovation hub. "Hackathons such as these are important, because not only do they get you to appreciate the amount of work that goes into making policies, but they also expose you to a wide breadth of perspective and insights that helps you appreciate the problems and possible solutions a lot more."<sup>6</sup>

The Office of ICT, Innovation and Entrepreneurship (OIIE) enthusiastically informed the hackathon participants in Abuja that the agency had already – in the previous six months – organized traditional focus groups with stakeholders and credentialed experts seeking similar inputs to develop a national policy framework. The Office's coordinator expressed her excitement at the ideas emerging from citizens at the hackathon and promised that her office would review the crowdsourced proposals. In fact, the results of the hackathon were integrated by the OIIE into what then became a far more ambitious national policy vision for Nigeria.

From May to October 2018, the government engaged in recurring rounds of drafting and consultation: OIIE staff elaborated proposals from the hackathons into vision statements, then interviewed ministries, departments, and agencies to get more background information, and finally consulted hackathon organizers and participants to get feedback, then repeat.

<sup>&</sup>lt;sup>4</sup> This is a general issue facing governments that Downes (2009) has called this the Law of Disruption: "Technology changes exponentially, but social, economic and legal systems change incrementally."

<sup>&</sup>lt;sup>5</sup> A BarCamp is a type of meeting in which participants design the agenda themselves. Content is provided by the participants who must all, in one way or another, bring something to the event. The core principle of a BarCamp is "no spectators, all participants."

<sup>&</sup>lt;sup>6</sup> See <u>https://guardian.ng/features/nigerias-first-multi-stakeholder-policy-hackathons-held-in-lagos-and-abuja/,</u> accessed Sept.5, 2022.

Ultimately, the results of the hackathons were shared back with organizers and participants as the Nigeria ICT Innovation Entrepreneurship Vision (NIIEV), a "unifying policy vision …to unlock our national potential." An online consultation platform<sup>7</sup> and Messenger chatbot enabled citizens to read the draft national vision online, access references and background information, and provide anonymous inputs and feedback.<sup>8</sup>

More than 2,500 comments and suggestions were crowdsourced in less than one week and were reviewed by members of the OIIE. The OIIE then integrated comments into a revised draft, and organized a public Town Hall meeting in Abuja. Community spaces nationwide were encouraged to decentrally organize meetings to collect feedback that was likewise integrated into the final draft of the NIIEV, which called for "an urgent technological revolution." In August 2019, following a presidential election and less than a year and a half after the initial policy hackathons were convened, the national vision was published by the incoming Minister of Communications and Digital Economy.

According to the Minister, "there needs to be specific policies and incentives... to encourage entrepreneurship."<sup>9</sup> But, in the year following the passage of the NIIEV, it was not apparent that any work was being done by the government to implement the vision. That all changed in October 2020. After three years of simmering #EndSARS protests against police brutality, youth exploded onto the streets, claiming space to demand security sector reform and better opportunities.

With the energy and attention created by these mass protests, the next round of the policy process had begun. In November 2020 President Muhammadu Buhari's Senior Special Assistant on Digital Transformation, Oswald Osaretin Guobadia, contacted the organizers of the 2018 policy hackathons to build a "big tent" approach to supporting youth employment and digital transformation. Following this, President Buhari announced in his new year address, "Your voices have been heard" And, he further committed to "partner with the legislature to develop an enabling environment to turn [young people's] passions into ideas that can be supported, groomed and scaled."<sup>10</sup>

With this Presidential performative<sup>11</sup> in place, entrepreneurs, community leaders, and government advisors began to converge. In March 2021, the Innovation for Policy Foundation co-hosted a workshop with Mr Guobadia and the emerging coalition of policy entrepreneurs to sketch out the overall policymaking process (see "the ADDIS Process" below), and identify resources, opportunities, and needs to support an inclusive and effective law-making process.

<sup>&</sup>lt;sup>7</sup> See, for example, a version of the free and open source software iConsult:

https://github.com/i4policy/iConsult, accessed Sept. 5, 2022.

<sup>&</sup>lt;sup>8</sup> See <u>https://twitter.com/ONDINigeria/status/1062318678019133440</u>

and https://twitter.com/ONDINigeria/status/1066749751813656576?lang=ca, accessed Sept. 5, 2022.

<sup>&</sup>lt;sup>9</sup> See <u>www.rmp.nitda.gov.ng/pdf/2019NIIEVfinal.pdf</u>, accessed Sept. 5, 2022.

<sup>&</sup>lt;sup>10</sup> See

www.vanguardngr.com/2021/10/new-year-vow-buhari-restates-commitment-to-endsars-youths-5-dema nds/, accessed Sept. 5, 2022.

<sup>&</sup>lt;sup>11</sup> For a discussion of performative speech acts and their relevance for deliberative processes, systems, and "chains," see Appadurai (2015).

Having observed that policy instruments have little impact without collaborative implementation and monitoring, the "big tent" coalition sought to activate a much larger community and to engage in mass public education efforts. Over 300 volunteers signed up online and actively supported outreach and consultation activities, as the coalition grew beyond the usual suspects from the 2018 policy hackathons.

Members of the coalition were invited into a formalized presidential advisory group on start-ups, which announced that "it's time for our laws to start working for us, rather than against us. It's time [we} participate in the creation of laws that concern [us]."<sup>12</sup> Two law firms were hired with resources fundraised by the coalition to develop a first draft of the Nigeria Startup Bill, a national legal framework to support youth that imagined a credit guarantee scheme, measures to protect intellectual property of domestic innovators, and the ability to crowdfund growth capital, among other initiatives.

The coalition began to develop educational materials, including animated cartoons explaining how national law-making processes worked.<sup>13</sup> A call center was set up to answer questions from the general public and, if you called, you would speak with a volunteer, learn about the Startup Bill, and be invited to provide your suggestions. Members of the coalition also held interviews on TV and radio stations across the country.

Public participation efforts were also far more inclusive, and collaboratively organized between government and communities (see "co-created political spaces" below). Town Hall meetings were convened across states and geopolitical regions throughout August 2021, organized jointly by local community spaces and political leaders, to present the draft law to citizens and to crowdsource ideas.

Inputs from these sessions generated a number of key revisions to the Startup Bill. For example, citizens pushed for greater oversight and monitoring of the law, so the final draft version of the Bill included a provision to establish the National Council for Digital Innovation and Entrepreneurship, an oversight board composed of citizens and government officials. The approach to defining beneficiary companies was also modified to ensure that all companies would be entitled to fiscal incentives based on objective criteria, rather than a discretionary approach that could be more prone to elite capture.

The Nigeria Startup Bill was submitted to the President by the coalition in October 2021 and approved by Nigeria's cabinet the following month. Playing the game of aggregative politics, members of the coalition organized rallies across the country with over 7,000 campaigners marching on national and state-level legislatures calling for swift passage of the Bill.<sup>14</sup> The Bill was forwarded to the Nigerian Senate in March 2022, voted into law in the summer session, and was signed into an Act by the President in October 2022.

<sup>&</sup>lt;sup>12</sup> See <u>https://startupbill.ng/</u>, accessed Sept. 5, 2022.

<sup>&</sup>lt;sup>13</sup> See <u>www.youtube.com/watch?v=uKvDHJKaSO4</u>, accessed Sept. 5, 2022.

<sup>&</sup>lt;sup>14</sup> See <u>https://independent.ng/7000-campaigners-rally-support-for-nigeria-startup-bill-at-nass/</u>, accessed Sept. 5, 2022.

While the Bill was being considered at the federal level, the coalition wasted no time before advocating with state governments to "domesticate" the law. The advisor to the Lagos state's Governor, explained the reason for this, "currently, we are also trying to domesticate the Nigeria startup bill for Lagos state because going by the federal system we operate in Nigeria; each state is jurisdiction on its own. And for state actors to be able to implement some of the provisions of the law, they themselves have to domesticate."<sup>15</sup>

It's clear already that this story will not end with the signing of the Act. A new kind of relationship appears to be taking shape between government and citizens, with increased capacities and self-perpetuating dynamics of public participation. According to Mr Guobadia at the President's office, "we now believe that the 'big tent' approach can become an effective way to drive a collaborative and engaging co-creation process for policy development in all sectors."

#### WHAT SCIENCE TELLS US

The scientific evidence of the impact of deliberative and participatory governance clearly shows that context, design, participation rates, and the quality of interaction are all critical factors.<sup>16</sup> Analyzing nearly \$80 billion spent on participatory processes by the World Bank, for example, Mansuri and Rao (2013) found the impact of public participation activities to be poor. This is because it is so often "induced," that is, designed and implemented by governments, philanthropists, or external civil society with little intrinsic motivation, rather than as "organic" actions originating within concerned communities (Mansuri and Rao 2013).

Scaling deliberation and participation requires collaboration between induced and organic participation (Heller and Rao 2015), as we observe in the case above. In other words, there needs to be a middle ground between the extremes of public participation being induced from the top and actions organically derived from the bottom.<sup>17</sup> We might call this "collaborative" public participation, whereby power holders and citizens come together to organize and host political spaces in partnership. These drivers of participation can be mapped along the spectrum from "bottom-up" to "top-down" and linked with a model of **political spaces**<sup>18</sup> in the lineage of Gaventa and colleagues (Brock et al 2001; Cornwall 2002; Brock et al 2004; Gaventa 2006). Figure 1 provides an expanded vocabulary of political spaces according to who initiates, convenes, and who is able to participate.

<sup>&</sup>lt;sup>15</sup> See <u>https://lagospost.ng/lagos-to-domesticate-nigeria-startup-bill/</u>, accessed Sept. 5, 2022.

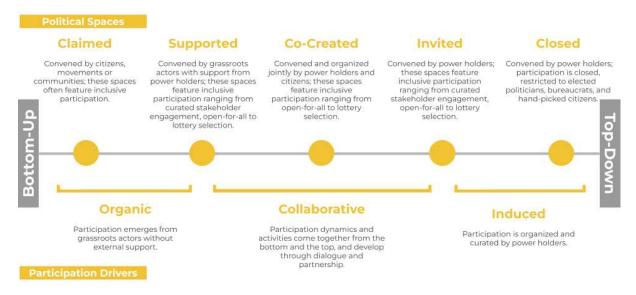
<sup>&</sup>lt;sup>16</sup> For relevant studies of impact in the field of democratic innovation, see Boulianne (2019), Cutler et al. (2008), Gastil et al. (2012), Goodin (2005), Grönlund et al. (2010), Halvorsen (2003), Luskin and Fishkin (2002), Mansbridge (1999), Mansbridge (2015), Mansuri and Rao (2013), Nabatchi (2012), O'Toole (1986), Pincock (2012), Strandberg and Grönlund (2012), Warren (1992), and Webb (2013). The

<sup>&</sup>quot;Impact" chapter of the Handbook examines several of these studies in detail.

<sup>&</sup>lt;sup>17</sup> Jonathan Fox has developed what he calls the "sandwich strategy" to bridge top-down and bottom-up dynamics, whereby "state actors take actions that tangibly reduce the risks or costs of collective action by the socially and politically excluded" (Fox 2019).

<sup>&</sup>lt;sup>18</sup> Political Spaces are moments, actions, opportunities, and channels where people work together to affect decisions, discourses, and relationships that affect their lives and their interests.

## 1: Types of Political Spaces and Drivers of Participation



Jon Stever 2022 CC-BY-SA: This framework seeks to build on the work of Mansuri and Rao (2013), Gaventa (2006), and Fox (2019).

This political space framework is a heuristic, providing a common language with which to understand and characterize public participation. This enables reformers in government and civil society to then imagine and describe the spaces they wish to build. In practice, these definitions are dynamic and subjective. There are overlaps between political spaces, and who is considered to be an authentic grassroots actor may be contested. In the Nigeria case above, for example, the law will institutionalize what is intended to become a formal "co-created space." The National Council for Digital Innovation and Entrepreneurship will bring government officials and citizens together to oversee implementation and monitoring of the law, though many citizens unable to participate in such a space may well consider the Council to be "closed".

To understand and plan how different political spaces–ranging from claimed protest movements to closed elite deliberations–can work together in a deliberative ecology to contribute to a decision-making process, we have also developed a mnemonic device to describe the policy cycle: ADDIS<sup>19</sup>. The ADDIS Process is heuristic that sets out the main phases of a policy-making process: agenda setting, drafting, decision-making, implementation, and sense-making in 12 iterative and reflexive steps. ADDIS can be used to retroactively map the activities organized throughout a policy-making process, as we provide for the Nigeria case in Figure 2. Importantly, it can also be used to support citizens and governments to imagine, plan and execute collective intelligence approaches to public policy co-creation, what can be called **Decision Thinking**<sup>20</sup>.

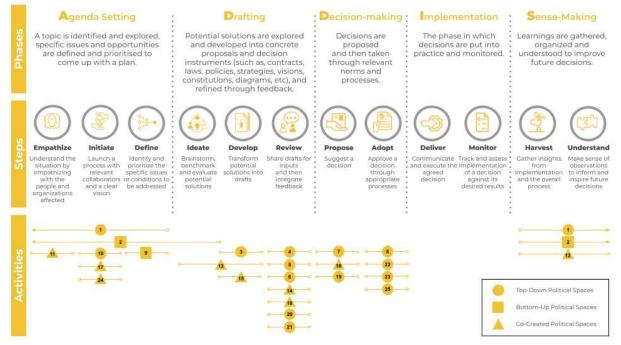
<sup>&</sup>lt;sup>19</sup> "Addis" (λ·٩.ħ) is an Amharic adjective describing something as new. The capital of Ethiopia, Addis Ababa, the home of the African Union and a symbol of pan-Africanism, for example, means "new flower." The ADDIS process is v5.2 of the i4Policy Process, see <u>https://participedia.net/method/6426</u>, accessed Sept. 5, 2022.

<sup>&</sup>lt;sup>20</sup> Decision Thinking is the application of a mental model, or a set of heuristics, for intentionally approaching, considering and taking a decision. Decision Thinking has been applied in a wide range of sectors and fields.

Decision Thinking works in ontologies to counter the tendency for one-size-fits-all methodologies. ADDIS, for example, is non-linear and seeks to be ideologically agnostic. It does not presuppose a particular form of governance, prescribe a particular policy-making pathway, or seek to impose a particular understanding of democracy. Rather, ADDIS, is designed to encourage inclusive participation in public problem-solving on instrumental grounds (because inclusion and participation produce knowledge, or epistemic value, and therefore better policy delivery and outcomes) and normative ones (recognizing that inclusion and participation are often themselves intrinsic goals).

## 2: The ADDIS Process (v5.4):

Overview of Startup Law-Making Activities in Nigeria, 2017–2022.



Innovation for Policy Foundation 2022, CC-BY-SA; The activity numbering corresponds to the legend below.

The ADDIS Process evolved from applying the tools of social innovation communities – such as human-centered design – and community organizing to the theories, practice, and traditions of participatory governance. Although it was originally developed in isolation of the policy cycle heuristics inspired by Laswell (1956), it has since integrated learnings from these frameworks and their criticisms.<sup>21</sup> Important correspondences can be made between ADDIS and other modern policy cycles, such as the Kaleidoscope Framework developed by Resnick and colleagues (2018), the Problem-Solving Pathway from Beth Noveck and the GovLab,<sup>22</sup> and the OODAL Loop framework of observation, orientation, decision, action, and learning (Klein 2017; Enck 2012).

<sup>&</sup>lt;sup>21</sup> See, for example, Goodin and colleagues (2006), Howard (2005), Sabatier (2007), and Smith and May (1993).

<sup>&</sup>lt;sup>22</sup> See www.solvingpublicproblems.org, accessed Sept. 5, 2022.

#### DO'S AND DON'TS

Throughout the process to co-create the start-up law, we would remind colleagues and stakeholders that the Nigeria startup conversation was far more important than a Nigeria Startup Act. The process is more important than the outcome. It is the dialogue, interaction, and the opening of new political spaces – the continuously expanding "deliberative chain" to use the words of Arjun Appadurai (2015) – that will create lasting impact, not a law *per se*.

Deliberative processes and ecologies evolve best when there is a plurality of activities and drivers that bring governments and citizens together. For this, we need to activate more public servants and citizens as co-creators of public policies and as organizers of public participation. People learn about deliberation and participatory policymaking by hosting gatherings, sitting together in dialogue, weighing arguments, and ultimately making decisions together. We learn by doing. Or, as Paolo Freire reminded us, "a person learns to swim in the water, not in the library" (Freire 1970).

In order to build civic experience through practice – in turn, expanding future possibilities of practice – public participation activities must be pedagogical. Activities need to be accessible, contextualized, and organized explicitly as learning environments. Moreover, all actions, heuristics, and learning materials need to be open sourced, translatable, and re-mixed to fit each process and each community's needs. In the case above, for example, the policy hackathons were co-organized and facilitated by local innovation hub leaders. During their preparatory training, the hackathon facilitators co-created the conversation norms for the session they would lead while practicing the same methods of crowdsourcing and prioritizing that they supported citizens to use. The training featured a dialogue among facilitators to identify important norms and rules to ensure a good deliberation. Then, borrowing from the latest "standards for good deliberation,"<sup>23</sup> we offered facilitators a list of "minimum viable dialogue rules"<sup>24</sup> as a point of reflection for a further round of deliberation to refine and define their conversation norms. In this way, even the norms of the Nigerian policy hackathons were derived through practice within the community of participants.

In our experience, it is also critical to engage in Decision Thinking, to have an intentional vision and pathway for a policy process in mind. In the first quarter of 2021, for example, conversations among the coalition behind Nigeria's Startup Bill centered around the process(see "the ADDIS Process"), identifying a hypothetical journey of the law from agenda setting through drafting and decision-making. This ensured that activities were coherent and connected, and that hosts and participants alike could understand the context of their participation and how their engagement would contribute to the overall law-making process.

Finally, it is important to remember that no polity achieves perfection. Do political institutions make people, or do people make political institutions? Our systems of governance, our decisions, and even our goals must be understood to be corrigible. Although we live in a seemingly static world of governance nouns – constitutions, leaders, norms, regulations – as verbing citizens we can reshape our societies and our politics when we work together.

<sup>&</sup>lt;sup>23</sup> See Mansbridge (2015) for a review of deliberation standards.

<sup>&</sup>lt;sup>24</sup> For example, clarity of common purpose; inclusion; safety; honesty; and, "revisability," being open to changing our minds and empowering others to do so as well (Global Assembly Team 2022).

## Legend

Key Activities	Dates	Activity Description	Type of Political Space	Stage(s) of the ADDIS Process
1	Oct-Nov 2017	Focus Groups	Closed	Harvest to Ideate
2	20 & 22 Mar 2018	Policy Hackathons	Supported	Harvest to Ideate
3	Apr-Nov 2018	Writing the NIIEV	Closed	Develop
4	Apr-Nov 2018	Interviews	Invited	Review
5	13-17 Nov 2018	Online Consultation	Invited	Review
6	4 Dec 2018	Town Hall meetings	Invited	Review
7	Feb 2019	NIIEV transferred to NITDA	Closed	Propose
8	2 Aug 2019	NIIEV signed	Closed	Adopt
9	Oct 2020	#EndSARS Protest	Claimed	Define
10	Dec 2020	Presidential Performative	Closed	Initiate
11	Jan 2021	Coalition Workshop	Co-Created	Care
12	Mar-May 2021	Legal Review	Co-Created	Harvest to Understand
13	Jun-Jul 2021	First Draft of the Startup Bill	Co-Created	Ideate to Develop
14	Aug 2021	Town Hall meetings	Co-Created	Review
15	Sep 2021	Final Draft of the Startup Bill	Co-Created	Develop
16	Oct 2021	Startup Bill submitted to cabinet	Co-Created	Propose
17	Oct 2021	Rallies & Summits	Co-Created	Initiate
18	Oct-Nov 2021	Learning Series	Co-Created	Review
19	Dec 2021	Startup Bill Submitted to the National Assembly	Closed	Propose
20	Mar-Jul 2022	Readings in the National Assembly	Closed	Review
21	Jun 2022	Public hearing in National Assembly	Invited	Review
22	13 Jul 2022	Voted by Senate	Closed	Adopt
23	20 Jul 2022	Voted by House of Representatives	Closed	Adopt
24	Jul-Oct 2022	State Consultations	Co-Created	Initiate
25	19 Oct 2022	President signed the Startup Bill into an Act	Closed	Adopt

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