

# THE CHALLENGE OF NIGERIA LOCAL GOVERNMENTS IN THE 21<sup>ST</sup> CENTURY

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**Abstract:** The Nigerian administration in 1976, made a concerted efforts to reform the local governments across the federation. This is usually referred to as “the 1976 Local Government Reforms”. The successive governments have tried to sustain the tempo of this great achievement which in the literature was referred to as a period of “watershed” in the near three decades of military interregnum in Nigerian Political Affairs. What gains have Nigerians made of this singular act of military ‘benevolence’? What are the challenges ahead of Nigeria in order to ensure her credibility in the comity of nations? These and others are the questions that this work intends to address.

**Keywords:** Reform, constitution, political structure

## INTRODUCTION

The reformed Local Government which was launched with fanfare in 1976 has spanned over three decades (precisely thirty-one years ago) to date. With the benefit of hindsight, it is apposite to undertake a systemic evaluation of its success or failure in terms of meeting the stated goals and aspirations of the authors of the reforms. This becomes essential considering the enormous amount of federal allocations that are being earmarked on monthly basis and the fact that the vast majority of the citizenry reside in it.

In order to address this issue, this paper will have to raise a number of fundamental; questions, such as what were the guiding principles behind the 1976 local government reforms? How far have the noble objectives of these reforms been achieved? What should constitute adequate arrangement for local level governance? What are the inhibiting challenges facing this level of governance in the contemporary world of our time? How can we democratize our local governments? How local are these local governments? And possibly what are the way

forward? In this work, an attempt is made to address the aforementioned questions. First, let us start with the rationale behind the 1976 Local Government Reforms.

## The Rationale of 1976 Local Government Reforms

The reforms as conceived in 1976 by Muritala/Obasanjo regime had the following as its goals and objectives. (1) to make appropriate services and development activities responsive to local wishes and initiatives by devolving or delegating them to local representative bodies; (2) to facilitate the exercise of democratic self-government close to the local levels of our society and to encourage initiative and leadership potential; (3) to mobilize human and material resources through the involvement of members of the public in their local development; and (4) to provide a two-way channel of communication between local communities and government (both state and federal).

## The Gains of the Reform

With the benefit of hindsight, it is legitimate to stress that Nigerian local governments have made some gains with regards to certain aspects of the reforms. It is also right to state that most of these gains have been filtered away by successive Nigerian administration. First let us start with the gains of the reform. The reforms made it possible for various communities to assess the country’s resources which are enormous following the discovery and prospecting of petroleum and its allied products in the Niger-Delta region of Nigeria. The country was initially divided into 299,301,589 and presently 774 local governments. Local governments now enjoy about twenty per cent (20%) of the federation account. But to what extent has the oil windfall, impacted the various communities and by extension the good people of Nigeria? This is perhaps one of the main thrust of this paper and we shall return to it later in the work.

The first noticeable gain of the reform was the recognition of local governments beyond their regional or state level. It must be recalled that hitherto local governments are being subjected to political and socio-economic abuse of regional governments (between 1960 and 1966) and military governors (between 1966 – 1976) before the reform was enacted. By the reform of 1976, local governments have become a veritable vehicle for socio-economic development of the state.

In the bid to ensure the success of the reform a whopping sum of one hundred million (₦100 million) was released in the 1976/77 financial year top all local governments in the federation. According to R.F. Ola 1984:90) this sum of ₦100 million was much when compared with a grant of ₦1 million and ₦1.5 million made to each state of the then existing twelve states in the federation between 1973/74 and 1974/75 fiscal years respectively for distribution to their local governments. The economic fortune of local governments has since then witnessed improvement on annual basis by 1977/78 a sum of ₦250 million in 1978/79 ₦300 million was allocated and in 1979/80 ₦278 million was earmarked.

In terms of the local governments serving as a bed-rock of the country's democracy, there is abundant evidence that since the inception of the reform, a number of elections had taken place in the local government out of which a limited number of them were based on zero-zum party basis. In precise term, only the 1976 and 1987 elections were based on non-partisan basis, and between 1979/83, no election took place in local government.

In terms of political structure of the country, many believe that Nigerian federation has been fashioned along three tier system of governance, namely federal, state and local government. It is however, doubtful, if scholars on federalism will accept local government as a tier of governance. By 1979 constitution local government was recognized as a permanent feature in Nigeria federation; and as (Nwabueze, 1983) later lent credence to this argument. It is apposite to state that the subsequent constitutions (1989 and 1999) conceded a third-tier level of governance to it. This again, raises two fundamental questions as to the autonomy of local government units. The protagonists of local government believe that to the extent that local governments are creations of the constitution; and that since state governments cannot add or delete from it, it could be said to have constituted a third-tier level. The other level of argument is that the eighth schedule of (1999) constitution places local

government squarely under the state governments. The constitution states inter alia: The system of local government by democratically elected government councils is under this constitution guaranteed, and accordingly, the government of every state shall, subject to the section 8 of this constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils (Federal Republic of Nigeria Constitution 1999).

The Fourth schedule of the constitution in question confers certain functions on the local governments in the federation as follows: (1) The main functions of a local government council are as follows: (1) The consideration and the making of recommendations to a state commission on economic planning or any similar body on; (i) the economic development of the state, particularly in so far as the areas of authority of the council and of the state are affected; and (ii) proposal made by the said commission or body; (a) Collection of rates, radio and television licenses; (b) Establishment and maintenance of cemeteries burial grounds and home for the destitute or in firm; (c) Licensing of bicycles, trucks (other than mechanically propelled trucks) canoes, wheel barrows and carts; (d) Establishment, maintenance and regulation of slaughter houses, slaughter slabs, markets motor parks and public conveniences; (e) Construction and maintenance of roads, streets, street lighting, drains and other public high ways parks, gardens, open spaces, or such public facilities as may be prescribed from time to time by the House of Assembly of a State; (f) Naming of roads and streets and numbering of houses; (g) Provision and maintenance of public conveniences sewage and refuse disposal; (h) Registration of all births, deaths and marriages; (i) Assessment of privately owned houses or tenements for the purpose of levying such rates as may be prescribed by the House Assembly of a State; and (j) Control and regulation of: (k) outdoor advertising and hoarding; (l) movement and keeping of pets of all description; (m) shops and kiosks; (n) restaurants, bakeries and other places of sale of food to the public; (o) Licensing, regulation and control of the sale of liquor.

(1) The functions of a local government council shall include participation of such council in the government of a state as respects the following matters: (a) The provision and maintenance of primary adult and vocational education; (b) The development of agriculture and natural resources, other than the exploitation of mineral; (c) The provision and maintenance of health services; and (d) Such other functions as may be conferred on a local

government council by the House of Assembly of the State (Ibid).

The summation of the above functions is such that the first part of the functions are exclusive to local governments while the second set of functions are the ones which the constitution expects state government to perform with its local governments; otherwise known as concurrent functions.

At the international level, a good number of countries, such as South Africa, Angola, and Zimbabwe etc have understudied Nigeria's system of local government with a view to transplanting some of its gains into their countries. The fact that the reform has withstood the test of time, having endured for thirty-one years of Nigeria's forty-seven years of the country's independence in itself a solid gain which must not be under estimated.

Having discussed some of the gains of the reformed local government, it is perhaps pertinent of this junction to ex-ray some of its observable flaws and possibly proffer some solutions in order to meet the challenges of the 21st century as the topic of this paper has indicated.

### **The Flaws or Loss of the Reforms**

The first question we need to address our minds to when discussing the Nigerian local government system is how local are local governments in Nigeria? In terms of perception of localism, locality and provincialism, Nigerian local governments are not necessarily or sufficiently local. A system of governance that demands uniformity from a plural society such as Nigeria with perhaps over 140 million population (2007 census figure) and with over 15,000 ethnic nationalities cannot lay claim to such. In other words, because the reform was largely conceived by a military government, with its penchant for uniformity has denied the people of what would have been derived if their diversity has been underscored from the conception of the reform. After all, a local government should be local in every sense of it i.e. in the modality of its operations. A local government that uses English Language as its official language of transaction in a locality populated by illiterates is a suspect.

This inevitably takes us to the demographic criterion for creating a local government in 1976 reform. The reform recognized a total population of between 150,000 and 800,000 as adequate for a local government, and it went further to say a place with 100,000 populations could constitute a local government in exceptional cases. It must be emphasized in the first place that the demographic criterion has not taken into consideration the

compatibility of the people that will so constitute the local government. Experiences over the years have shown that most of the communities with a local government are strange bed fellows. Not only do they have the history of mutual hostility and suspicion many of them are bitter enemies over boundary disputes and traditional ascendancy. Other known variable that has set them on war path with one another is the issue of relating to the sitting of local government headquarters. Indeed many communities see the sitting of local government headquarters as an attempt by the central government to re-write the history of these localities. Many have resisted with attendant loss of lives and properties.

The reform had also envisaged that by breaking the country into different units, the much needed changes, transparency and accountability will be galvanized by its local bureaucracy. It sad to note the monumental corruption and perfidy which local government bureaucratic apparatus has engendered in contemporary Nigeria. There is hardly anything to show for the 20% of the federation account accruing to local government. Apparently worried by this state of affairs, President Olusegun Obasanjo constituted a technical committee chaired by Etsu Nupe, the Emir of Bida in Nigeria State in June/July 2003. With the demise of its Chairman, the committee report never saw the light of the day. What is being inferred is that the rural communities who are supposed to be recipients of monetary allocation from the centre have nothing to show for it. The direct beneficiaries are the local elite, the political class and members of unified staff of Local Government at state level who constitute the upper echelon of the local civil service. The reform rather than being a blessing to Nigerian rural communities has been the other way round.

The local governments functionaries, apparently haunted by lack of accountability to the citizenries of local governments have unilaterally cancelled poll-tax. For democracy to be sustained (Jane Guyer 1994:2) urged that it must be built on modus operandi on the foundation of revenue generation. It is such that taxation breeds representation or what is being referred to as the words of (Corrigan and Sayer 1985; Webb and Webb 1963) as a rate – payers Democracy.

The local government officials deliberately insulated the grassroots from paying poll-tax and other rates so as not to raise the level of their awareness on the operation of local government. Without such awareness there is no way the local officials can be held accountable. The local government councilors who constitute the councils and are the accredited

representatives of the people are less bothered provided their pecuniary interests are met. The case of local government can be likened to prebendalism as (Richard Joseph 1981) has succinctly described the Nigeria state. Indeed (Akin L. Mobogunje 1995) summed up the issue when his assets that corruption at this (local) level of government has become proverbial and the venality of the councillors a byword among the citizens. Nowhere in the country has the local government system been an instrument either of good governance or for participatory democracy or for economic progress. Hence in this way the much vaunted democratic and leadership potentials which the authors of local government reforms envisaged have thus been stultified by successive local government leaderships. I must emphasize with all sense of responsibility that the case of Nigerian local governments is an extension of Nigeria state which has been variously described as corrupt and inequitable by scholars such as (Ikelegbe 2005, Willie Fawole 2003, Tale Omole 2007 etc).

If the original intention as said earlier, given the vituperious tendencies that permeate every local government, the citizenries could not come together to build social capital outside of the local government council. Social capital here means the willingness of the people to survive without governmental influences. Such an easily discerned in their ability to raise funds to provide social amenities, which they will build, supervise and maintain over time. What is currently in vogue in the rural communities in Nigeria is the tendency of every autonomous community with the connivance of their children within or without to raise funds for the survival of each community, (Dele Olowu 1993, Akin Mabogunje Ibid). It is a case of "every man for himself and God for us all".

The operation of local government reforms has by lips and bounds, concentrated power in the office of the Chairmen to Local Governments. It is not unusual to see and hear the frequency of the phrase being used to qualify the Chairmen as "Executive Chairmen". This phrase has really intoxicated and rendered them largely irresponsible to the mass of the people at the grassroots. The office of chairmen like state governors has a routine of staff, so also is the office of their wives who are regarded as "First Ladies" in their respective local governments. Indeed the office has constituted a colossal waste on public funds without any visible achievement or gain over the years, except for the conspicuous living of the chairmen, their immediate family and vociferous supporters.

The noble intention of authors of the 1976 local government reforms is to disperse power from the federal and state to local units, then the ways and manners of the political office holders (especially the office of chairmen) have operated in the last two decades, have made nonsense of the noble intentions.

This prodigality on the part of executive chairmen across the country has inevitably raised another contention. This contention is about the desirability or otherwise of the presidential system especially at local government level, given its expensiveness in terms of running cost. These have been several complaints that after expending on its administration (of presidential system) only very meager resources are available for capital development in the local governments (Technical Report: 2003).

The state governments have been nothing but impediments towards the development of the grassroots. They (state governments) have ostensibly hijacked local government allocation from federation account in the name of state-local joint accounts. This development has no doubt, aggravated the pauperization of local governments. With this arrangement in place no meaningful developmental projects can take place in the rural areas where they are most needed. Indeed the report of a committee on the activities of local government (1984) summarizes the negative roles of state governments thus: (i) Diversion or misappropriation of statutory allocation from the federally collected revenue; (ii) Non-payment of statutory allocations to local government; (iii) Appointment of incompetent and uncommitted people to Local Government Management Committee; (iv) Transfer of functions to local government without corresponding transfer of revenue accruing to them e.g. primary education; (v) Taking away without consultation, some basic functions of local government e.g. markets, motor parks etc thus reducing the revenue base of local government; and (vi) Ministries of Local Government which interpret their role vis-à-vis the local governments as consisting of control and supervision rather than that of cooperation, coordination and guidance.

As if all these are not enough the federal and state governments are known to have exercised too much control on local governments. These are often in form of circulars, directives, regulation whose financial consequences are to be borne by local governments. For instance, local governments are funding National Youth Service Corps (NYSC), Nigeria Police, Customs, Immigration, National Population Commission etc. All these are federal agencies whose zonal offices happen to be sited

within their (local governments) area of jurisdiction. The problem is that most of these extra-budgetary expenditures have little or no bearing on the locality, of little priority in their rating and in most cases are not reflected in the annual budget. The office of the “First Lady” was known in the past to have siphoned huge amount of local government funds to service pet projects.

As already discussed, state governments are known to have taken a large chunk of local governments monies in paying Secondary School Teachers’ Salaries. The local governments functionaries seem to have been influenced by this financial profligacy as cases of financial indiscipline are rampant at local government level. Financial extravagance of local governments are easily discern in inflated contracts, conspicuous life-styles of its actors, reckless expenditure on awards of chieftaincy titles, donations to uncharitable organizations and groups and execution of frivolous projects with little or no impact on the lives of the inhabitants.

Having highlighted the weaknesses of the local government system as practiced in Nigeria, the rest of this work shall be devoted to ways and means of ameliorating the already deplorable situation.

### **Way Forward**

The proceeding analysis has unmistakably revealed the multi-dimensional and multi-faceted challenges of local governments in contemporary Nigeria. As a way of proffering solutions to these multiple questions, it will be perhaps instructive to ask this question i.e. How local are local governments in Nigeria? With the benefit of hind sight, one can say that the present structures at local units are not local governments in the strict sense of the word. Indeed, they (local governments) have served over the years (especially since military regime) as mere out posts of federal and state governments. Electoral process at the level has been highly commercialized and it has always been for the highest bidders. The introduction of capital has further alienated them bonafide members of these communities from contesting elections into the executive and legislative arms of the local government councils, thereby leaving the exercise to immigrants from the cities, whose only claim was that such rural communities were their ancestral homes. In standard democracies world-over, (whether parliamentary or presidential system) elections are normally contested based on domicile members of a given political milieu. This is very important for two political reasons, namely, one, it guarantee adequate representation of such an area, in terms of representatives being versed with the problems of the people and for adequate articulation.

Secondly, it a fair way of rewarding individuals for their continued stay, identification and contributions to the growth and development of such communities. Hence, we venture to suggest that local government elections to the executive and legislature must be contested among the political elite who have resided for at least half a decade prior to such elections. Indeed, there is urgent need to overhaul the electoral laws in the local government system.

In the bid to have a clean break with the past obnoxious policies on local government which have been amply demonstrated in the fore-going analysis to have benefited only a tiny cabal at local level, there is the need to re-visit the current 774 local governments in Nigerian Federation. A question that is perhaps pertinent at this junction is what really constitutes a local government? Most of the present local governments are agglomeration of mutually incompatible communities. It is instructive; to recall (Akin L. Mabogunje’s 1995) a million dollar questions as to what opportunities for developing dense networks of civic engagement is provided for the citizens in the present system of local government in Nigeria? Given the incongruous amalgam of different communities that a local government area harbours, what stock of social capital is being accumulated? What repertoire of collaborative achievements do our local governments have to show over the years?

The last question can be answered in the alleged mandatory contributions to the joint stated-local accounts which from all indications have not impacted local government citizenries.

Another argument that can be built around this, was the mandatory demographic criterion of 150,000 – 800,000 (and in most exceptional cases of 100,000) employed by the 1976 reforms with the benefit of hindsight, this was more military (autocratic) than civil (democratic). It is more for instrumental reasons rather than altruistic purposes. A local government should be based on mutual agreement and willingness of the citizenries to stay together rather than on demographic criterion. Hence there could be as many local governments as many communities that have satisfied the conditions of mutual compatibility and evidences of joint communal ventures in the past. Many of the federal agencies such as defunct Directorate of Foods, Roads and rural Infrastructure (DIFFRI) and Primary Health Care (PHC) all of Babangida era had carefully identified and documented such communities in the past. Such can be the basis of fashioning a new local government structure for the country.

Every local government should be encouraged to hire and fire its staff based on needs and ability to pay. Two or more contiguous local governments can agree to partner in some areas of manpower need. The present Local Government Service Commission (LGSC) saddled with unified senior staff matters of promotion, discipline, transfer etc and the Ministries for Local Governments at State levels will be anachronistic under this arrangement. The present staff of local government who could not fit into the new scheme can be inherited by state bureaucracies. In order not to create pandemonium in the political arena excess staff should be eased out by attrition. Abrogation of Local Government Service Commission across the federation will not necessarily pose any constitutional bottleneck. This is because the 1999 constitution whether deliberate or inadvertently, never provided for it. The Ministries for Local Governments at State levels are the creations of state executives. The power to create also implies the ability to liquidate.

When every community in the Federation manages its own local government, the high incidence of official corruption and venality of both elective and appointed officials of local governments will be drastically reduced if not totally eliminated. In this case almost every worker will hail from their respective local communities. There have been ample evidences that people do exercise restraints in tampering with communal properties because of the social and negative consequences such an action could engender, to their immediate and extended families. This scenario has been amply demonstrated in (Peter P. Ekel 1996) works titled "colonialism and the two publics in Africa: A theoretical Statement" to necessitate a recap. While members of primordial public (Local Communities) organize to better the lots of their communities, they use the same energies to pillage the civic public with impunity.

The implication is that the people are more committed to their primordial origins than the civic public which they perceive as a common or public till. This argument has been amply advanced by Richard Joseph (1991) in his work.

### Conclusion

There is no doubt that local government has a lot for democracy and amelioration of deplorable conditions of the people at grassroots. The present structure and modus operandi of local government cannot guarantee the much – desired dividends to the local inhabitants. If anything, its operation over the last three decades has not really impacted on the citizenries. It then stands to reason that if accelerated development must be achieved given the enormous

federal resource allocation that is accorded to local government then there is a need to undertake a systemic review of this level of governance. This must be done if Nigeria (and Nigerians) will meet with the challenges of the 21<sup>st</sup> century.

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