

Constraints of Local Government Administration in Nigeria

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ABSTRACT This paper identifies four points of historical reference in the development of local government administration in Nigeria. Also, the paper looks at the reasons for the establishment of local government, functions and characteristics of good governance and accountability. Factors militating against performance of local government administration in Nigeria were articulated, areas of contribution to development were also identified and concludes that the Constitution of the Federal Republic of Nigeria should be amended to enable State Governments and the various State Houses of Assembly loosen their firm grip on the local governments in order to allow the local government authorities to provide the much needed goods and services for the people.

INTRODUCTION

The term local government administration in Nigeria has attracted serious attention both nationally and internationally since the great local government reform of 1976. Local government is the closest tier of government to the people of Nigeria, yet the resident population in it is denied the benefits of its existence. The failure of local government in the area of service delivery over the years has made the citizens to lose faith and trust in local government administration as an institution in Nigeria.

From historical perspective, modern local government administration in Nigeria can be traced to the British system of local government. But it should be stated however, that local administration did not start with the advent of British Administration in Nigeria, because some forms of system of local government administration pre-dated the British rule. Local government administration is one of man's oldest institutions. The earliest form of local governments' administration existed in the form of clan and village meetings. In fact, democracy itself originated and developed along the lines of local governance initiative in the ancient Greek City States. It should be noted however, that in other parts of the world, local governance was developed along the people's culture and expectations, and the system was tied to the norms and practices of the people (Aghayere 1997).

According to Gboyega, four points of historical reference can be identified in the development of local government administration in

Nigeria. They are:

- (1) Colonial rule;
- (2) Local government reforms in the East (1951) and West (1952) respectively;
- (3) The military coup of 1966; and
- (4) The 1976 local government reform (Gboyega as cited by Aghayere 1997).

Local government administration in Nigeria has undergone many changes of which the 1976 Reforms and the Constitutions of 1979 and 1999 can be said to be most prominent. Before 1976, local government administration in Nigeria had passed through many changing environments and this has in no small measure influenced its development.

Furthermore, before 1976, there was no uniform system of local government administration in Nigeria. Although, there were spirited attempts made to carry out some reforms in the local government system, these attempts were uncoordinated and haphazard. The 1976 reforms introduced a uniform system of local government administration throughout the country. The reform was a major departure from the previous practice of local government administration in Nigeria. The philosophical basis of the reform lies in the conviction that a strong local authority with clearly defined functional responsibilities in a power-sharing relationship with the states is an institutional safeguard against tyranny. Following the 1976 reforms, local government became recognized as a tier of government entitled to a share of national revenue consequent on its constitutionally allocated functions (Imuetinyan 2002).

The provisions of the 1976 reform document were incorporated into the 1979 Constitution of the Federal Republic of Nigeria. Section 7(1) of the constitution provides that “the government of every state shall ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils” Constitution of the Federal Republic of Nigeria (1979). This showed that local authorities were creatures of the state and their relevance, strength and degree of autonomy were subject to the state government’s control (Iyoha 1997). The power of the state government over local authorities has been wrongly applied to undermine elected and participatory governance and responsibility at the grassroots, and this has made operation of the constitution questionable.

The situation of local government administration under the 1999 constitution is also very confusing and complex. Although, the 1999 constitution also guarantees the existence of a democratically elected local government system, it however, like the 1979 constitution gives the states the responsibility to handle issues of organization and structure. The constitutional confusion and complexity led to a prolonged disagreement between the Federal Government of Nigeria and Lagos State Government of Nigeria over the creation of local governments. The issues in contention are yet to be fully resolved and these are negatively affecting the development principle of local government administration.

Constitutionally and currently, there are seven hundred and seventy four (774) Local Government Council Areas in Nigeria, and they are operating a uniform system of local government administration.

The term “local government administration” is seen variously from perspectives and schools of thought. The main thrust of this paper, therefore, is to look into the activities of local government administration from the angles of its establishment, functions, characteristics of good governance and accountability, factors militating against local government’s lack of performance, and areas of contributions to development by local government administration in Nigeria.

REASONS FOR THE ESTABLISHMENT OF LOCAL GOVERNMENTS

A lot of reasons have been given for the evolution and creation of local governments in Nigeria. These range from political, social and

economic reasons. Over the years, there has not been a general consensus as to the precise role local government should play, this singular factor makes the problem regarding the objectives of local governments most important. The following are seen as the purpose for the creation of local governments in Nigeria.

(1) To Bring Governance Closer to the People: Local government functions to bring democracy to the local citizens as well as to educate and socialize them politically; participation of the citizens in governance is one of the underlying percepts of democracy. Due to the vast nature of the country (Nigeria), the presence of governments whether at the federal or state levels was not well felt by the people, and this led to neglect and distrust of government by the people. In a bid to bring the activities of government closer to the people, local governments were created to serve as conduits through which government’s policies are communicated to the people (Aigbakoba and Ogbonna 2004).

(2) For Administrative Convenience: Local government serves as a channel through which policies and programmes from the state and federal government are communicated and implemented. This is because there are many functions that will be cumbersome for the state and federal governments to perform because of the distance separating them and the people e.g:

- (a) Collection of rates, radio and television licenses;
- (b) Registration of births, deaths and marriages registry etc.

The local government was also created to serve as the representative of both the federal and state governments amongst the local people. It is a channel through which policies are communicated and implemented (Aigbakoba and Ogbonna 2004).

(3) To Ensure That Resources are Effectively Mobilized: This is to arouse in the citizens the zeal or willingness to contribute financially, materially and morally to the management of local affairs. Local governments are created to bring about meaningful development in the rural areas through the effective mobilization of resources. Local government use the funds made available to it by both federal and state governments and their internally generated revenue to improve on the lives of the people within their areas of operations (Aghayere 1997).

(4) To Preserve Heritage and Common Interest of the People: In Nigeria today, there are

over 364 ethnic groups with diverse cultures and tongues. These ethnic groups are further divided into communities. These communities form the constituents/areas of local governments in Nigeria. By carving out local governments from amongst people of the same community, government is preserving such long traditional associations and using same to foster the interest of the people concerned. The creation of local government is intended to bring people of common heritage or ancestry together as a political unit to further their interests and increase their participation in government business.

It should be noted that, the broad objective of establishing local government is placed on the service delivery function. When roads are bad, when there are no markets stalls, no health centres, when there is no water, no drugs in the local dispensaries and when refuse is littered all around the place etc, the ordinary citizen blames it on the local government. It follows, therefore, that local government administration is established to affect citizens through the service delivery function (Aghayere 1997).

FUNCTIONS OF LOCAL GOVERNMENT ADMINISTRATION

In terms of functions, there is uniformity of function and responsibilities for all the local governments throughout the federation. These functions and responsibilities were later enshrined in the 1979 and 1999 Constitutions of the Federal Republic of Nigeria.

The first category of functions is made up of functions that are mandatory for which local governments have full responsibility, the second category is made up of functions which local government shares with higher levels of government, and the third category of functions are those functions that the state or federal government can from time to time assign to local authority.

As derived from the Fourth Schedule of both the 1979 and 1999 Constitutions of the Federal Republic of Nigeria, the basic functions, which all local governments in Nigeria are established to perform, revolve around the following:

- (a) Functions in which success depends on communities' responsiveness and participation;
- (b) Functions which require detailed local knowledge for efficient performance;

- (c) Functions which are of a personal nature requiring provision close to where the individuals affected live; and
- (d) Functions in which significant use of discretion or understanding of individuals are needed.

Some of the other functions of Local Government Administration as stated by Awotokun are:

- (a) The local government is authorized to consider and submit to a state commission or any other body on economic and social development as it affects the locality;
- (b) The economic functions of local government enable the authority to raise money through investments, taxes and other forms of levies;
- (c) The social and welfare functions of local government direct the authority towards the provision of such services as education, health, roads, and recreation grounds, etc, etc;
- (d) Local government administration also carries out informative functions such as enlightenment, development projects, administration, democratic and leadership initiative and maintenance of peace, law and order in the locality (Awotokun 2005).

In addition to the above, the local government administration also provides the following functions:

- i) Inspection of meat and abattoirs;
- ii) Provision of nursery, primary and adult education;
- iii) Provision of scholarship and bursaries award;
- iv) Provision of public libraries and reading rooms;
- v) Agricultural and animal health extension services and veterinary clinics, fire services;
- vi) Lighting and drainage;
- vii) Support for arts and culture;
- viii) Control of pollution;
- ix) Control of beggars and prostitution;
- x) Homes for destitute, the insane and orphans;
- xi) Public housing programmes;
- xii) Regulation and control of buildings;
- xiii) Town and country planning;
- xiv) Operations of commercial undertakings;
- xv) Control of traffic and parking;
- xvi) Pipe sewage systems (Aghayere 1997).

CHARACTERISTICS OF GOOD GOVERNANCE AND ACCOUNTABILITY IN LOCAL GOVERNMENT ADMINISTRATION

The following are characteristics of good governance in local government administration:

(1) Participation: Participation by both men and women is central to good governance; it could be either direct or through legitimate intermediate institutions or representation. Good governance implies and requires that the processes of participation are guided by principles and standards of integrity, transparency and accountability; it is the function of local government administration to ensure that concerns of the most vulnerable in society are taken into consideration in decision making. It should be noted that the participation that will give rise to good governance is one that is devoid of manipulation through unethical and non-transparent practice (Ojo 2009).

(2) Transparency: Where there is good governance, all that is at stake is public interest and there will be nothing to hide. The reason for good governance has continued to be problematic in Local Government Administration in Nigeria. This is as a result of lack of transparency in dealing with critical political, economic and administrative issues. The handling of issues, such as service delivery, appointments to public positions are not done in transparent manner. It should be clear that, government presence and access to resources would remain less satisfactory to the people unless it is based on transparency.

(3) Responsiveness: It means that public policy decisions and implementation represent adequate responses to popular needs and expectations; good governance requires that the fundamental interest and ultimate purpose that defines policies and actions of government must represent adequate response to the genuine and legitimate needs of the people. In other words, good governance requires that institutions and processes of government try to serve all stakeholders within a reasonable timeframe (Ojo 2009).

(4) Rule of Law: Rule of law as an essential feature of good governance implies the existence of fair legal frameworks that are enforced impartially, and constitutional procedural arrangements are adhered to consistently.

(5) Effectiveness and Efficiency: Good governance in Local Government administration makes possible that adequate value and benefits are derived from government resources committed to programmes and projects of government. Good governance in this regards means that processes and institutions produce results that

meet the needs of society, while making the best use of available resources at their disposal.

(6) Accountability: Accountability means that people will be able to hold local government authorities responsible for public issues as it is affecting them. In order words, accountability involves an obligation to explain or justify specific actions (Heald 1983). This is a key requirement for good governance in local government administration in general, and a system or an institution is accountable to those who will be affected by its decisions or actions. It should be noted, therefore, that accountability cannot be enforced without transparency, the rule of law and constitutionality.

(7) Government Appointments: There is no gain saying the fact that appointment of people into Local Government and its Commission adopts unfair and unethical patronage practices based on considerations and criteria devoid of merit. This is a common phenomenon in local government administration in Nigeria. It should be noted that good governance cannot be ensured under such arrangement. Rather, skills and competence related criteria should be used for all local government appointments in order to get the best hands on the job.

From the above perspective of local government administration, it is clear that for good governance and accountability to exist in a local government arrangement, the above characteristics need to be taken into serious consideration.

FACTORS MILITATING AGAINST LOCAL GOVERNMENTS' PERFORMANCE IN NIGERIA

While Local Government is said to be the best institution that can facilitate the efficient and effective service delivery at the grassroots level, the fact remains that:

- (1) The third-tier of government lacks the financial and human capacity to deliver on the statutory and shared responsibilities between it and the other tiers of government;
- (2) Local governments make minimal input into the decisions on resource allocations at both the federal and state levels;
- (3) Another issue militating against local governments' performance has to do with corruption. As in all levels and institutions of government in Nigeria, corruption is

predominantly wide spread, undiluted and unambiguous in the local government. It is a statement of fact that in the local government system, corruption has become all pervading, unabashed, uncontrolled and persistent. This perhaps explains the inefficiency and ineffectiveness in local government administration in Nigeria. The system has virtually become superfluous and redundant. Some of the areas where corruption thrives in local government include the following:

- (a) Inflation of prices of bought items;
- (b) Over-estimation of cost of projects;
- (c) The ghost workers syndrome;
- (d) Award of contracts and subsequent abandonment; and
- (e) Outright payment of huge sums of money to political godfathers, etc. etc. It is important to state at this point that the high rate of corrupt practices in the local government cannot be overemphasized, as it has over the years rendered the local government administration inactive and devoid of concrete developmental activities (Aghayere 1997);
- (4) Another factor militating against local governments' performance has to do with the recruitment of persons who do not possess the requisite leadership and managerial skills to deliver the gains of governance to the people. The Constitution of the Federal Republic of Nigeria makes provision that the qualification for election into offices of the Chairman and the Councilors shall be the same as that of the election into the House of Assembly of a state. Section 106 of the Constitution of the Federal Republic of Nigeria puts the minimum educational qualification for election into the House of Assembly of a state as post primary school certificate. This entails that the average political office holder in the local government is not expected to be a technocrat or one vested in any discipline. The above scenario has made the local government councils dumping ground for semi-literates or a starting point for political toddlers;
- (5) We must not fail to state the overbearing influence of the States and States Houses of Assembly on Local Government Administration in Nigeria. The question that readily

comes to our minds at this point is; how do we remove the local government administration from the strong hold of state governments? What happens to the Joint State Local Government Account? (Chizea and Ubhenin 2009). These are questions that demand immediate attention. Here, we are of the opinion that one essential manner local authorities could be removed from the strong-hold of the state government is the constitutional discontinuation of the under developmental practice of Joint State/Local Government Account such that local authorities can have direct and unfettered access to their allocations;

- (6) Another major problem in local government administration in Nigeria is the lack of continuity by succeeding governments. This has become a major problem plaguing local government administration in Nigeria, as succeeding government fails to continue with the programmes and projects that are left behind by a past administration. This has over the years led to economic and financial wastage as well as the retrogression of development; and
- (7) There is also the problem of constitutional inadequacies, confusion and complexities, such as that which statutorily see local authorities as an appendage of the state and further that of the federal government.

CONTRIBUTIONS OF LOCAL GOVERNMENT ADMINISTRATION TO DEVELOPMENT IN NIGERIA

However problematic local government administration in Nigeria might be; confused and complex as the various constitutions of the Federal Republic of Nigeria might be in the area of local government administration, and despite the various factors militating against local government administrations performance, it is gratifying to state that local government administration in Nigeria has brought some degree of development and transformation to both the urban and rural areas in the country.

Specifically, local government administration has performed fairly well in the following areas:

- (1) In the urban areas, conditions of living would have been very unbearable if the local governments were not there to dispose off refuse from all the markets. Local governments are

- constantly on their toes in the aspect of refuse disposal from the markets and other strategic locations in the cities, though much effort needs to be exerted;
- (2) Despite their inadequate finances, local governments have been very useful in opening up the rural areas through the provision of both earth and tarred roads, and this has facilitated rural transformation in Nigeria to a fair extent;
 - (3) Provision of electricity, water, market stalls, health centres just to mention a few, in both the urban and rural areas have been positive in most local government council areas in Nigeria via the continued efforts of local authorities and state governments.

CONCLUSION

Generally, local government administration in Nigeria has all it takes to provide the needed developmental apparatus as it affects persons living in the rural areas and the local communities in particular. It is pertinent to state at this juncture, that both the federal and state governments should shed their direct involvement and financial expenditure in favour of local government. Rather the two tiers of government should only allocate funds for the use of local government and leave the latter to run its own programmes with minimal over-sight function. The issue of Joint State Local Government Account should be abrogated. All the control measures and mechanisms put in place by both the States and States Houses of Assembly should be reduced to allow the local government authorities in Nigeria focus on concrete developmental programmes devoid of incessant interruption.

Finally, this paper identified four points of historical reference in the development of local government administration in Nigeria. Reasons for the establishment of local governments in Nigeria, their functions and the characteristics of good governance and accountability were discussed. Factors inimical to the performance of local government administration were articulated.

The areas of local government administration contributions to development which include the provision of roads, electricity, water, market stalls, refuse disposal and health centres were outlined, and therefore, recommends that the firm grip on local government administration by the State Governments and State Houses of Assembly must be loosened in order to allow the local government administration provide the much needed goods and services for the people.

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