

# **Democratising Local Government Administration: Flaws or Reforms Efforts in Nigeria**

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## **ABSTRACT**

*Local government authorities are set up by legal instrument on the basis of tradition homogenous areas or ethnic groups. In Nigeria today, it is an important integral part of federalism, which should not be undermined. It must be accorded a position of relevance in the democratic dispensation. This paper therefore intends to bring into focus the evolution of local government administration in Nigeria, the various reforms that local government system had passed through and the current position of the local government system in the present democratic setting. However, the effects of undermine and misplacement of priority by the local government under the present dispensation will also be examined. Suggestions are made on how to remedy the flaws and poor performance of the local government system in this present democratic dispensation; the undue interferences of the state government on the local government democratic process and financial matters must be stopped; local government system must be recognized as the third tier of government in Nigeria federation, therefore they should be made to enjoying the autonomy; while the operators of this system must not loose focus on the constitutional expectations of the system.*

**Keywords:** *Local Government Administration, Flaws and Reforms.*

## **INTRODUCTION**

The current attention on local government administration in Nigeria is a result of sensitive position it occupies in grass root development, and also as a tool for national integration in a diverse and multi- ethnic country like Nigeria. This governmental system is not new in Nigeria society, as it is old as the country itself. It started with traditional institution and passed through series of reforms and transformations during the colonial imperialism and the period of self- government. One notable thing about this system of administration ever since independence is that the societal consciousness about it is mostly aroused during democratic dispensation. The reason for this is not far-fetched. The grass root people have long list expectations due to its closeness. They are of the opinion that through this government they can easily reap the dividend of democracy. However, it has been observed that most of the expectations of the grass root people from most of the existing local government administration during democratic government seem to be in mirage. It is against this background that this paper traces most of the flaws and reforms in an effort at democratizing local government administration in Nigeria and proffers probable solutions.

Agagu (2001) defined local government as a government at the grass root level of administration meant for meeting peculiar grass root needs of the people. In Nigeria there is one federal government with jurisdiction over larger people with different traditional background and beliefs, but the lowest unit of administration whose laws and regulations bound on the people in the geographical areas is the local government. Appadorai as cited in Aladegbola and Owolabi (2005) defined local government as a "government by popularly elected bodies charged with administration and executive duties in matters concerning the inhabitants of a particular place".

The Federal Republic of Nigeria Guideline for Local government reform (1976) defined local government as a government at the local level exercised through representative councils established by laws to exercise specific powers within defined areas. These powers should give the council substantial control over local affairs as well as the staff and institutional and financial powers to initiate and direct the provision of services and to determine and implement projects so as to complement the activities of the State and Federal Government in their areas. It also ensures the active participation of the people and their traditional institution. Adamolekun (1986) Opined that local government are usually established to achieve three broad objectives. These are; political participation, efficient service delivery and resource mobilization. Price (1999) posited that every citizen of a state has a local loyalty as well as national one. The central government cannot possibly attend to every issue. If it tried to, it therefore attempts to make use of its citizens' local loyalties by delegating local administrative bodies which may be of various types such as: a locally elected representative body and a traditionally recognized authority. A local representative with clearly defined powers of the central government; Local government therefore is not sovereign; it's subordinate to the state and federal authorities. Notwithstanding, it possesses some considerable amount of responsibility and discretionary powers over a variety of functions or services.

### ***Evolution of local government administration in Nigeria***

The historical origin of local government administration in Nigeria could be traced to the traditional political system among ethnic groups that formed kingdoms and empires. Nwankwo (1990) opines that local government in Nigeria traditional political system was through the instrumentalities of traditional authorities' i.e. the Emirs, Obis, Obis, Chiefs, Age Groups and Village Councils. Among the three- major ethnic groups in Nigeria prior to colonialism, the local government administration was based on ethnic nationalities and culture unique to each area while the forms of government ranging from highly centralized to highly decentralized, autocratic to democratic, monarchical to republicans, empire to city state (Agagu, 2001). The inception of colonial rule in Nigeria brought about the system of Native authority for local government administration. Gboyega (1987) describes this system as political administration through the agency of indigenous institution. This comprises four elements, which are: the Resident, the Native treasury, the Native authority and the Native court. Hence, colonial rule marked the beginning of the development of local government that gave traditional ruler face lift under the system of administration known as indirect rule (Gboyega, 1987).

The system was practiced first in the Northern part of Nigeria and later introduced to the Southern part, which comprises west and East. In the East, warrant chiefs were appointed to perform the functions of tradition rulers as in the Northern and Western part of the country. This situation brought about opposition. In order to worsen the situation there was threat of imposition of taxation by the warrant chiefs on the people, which resulted to Aba women riot of 1929. Agagu (2001) pointed out the flaws in this system of administration during the rule. These included; discrimination against educated elites, divergence in the power and non-flexible nature of the council revenue base to ensure laudable ventures. It was this that brought about various reforms that took place thereafter.

### ***Reforms on Local Government Administration in Nigeria***

Following the Eastern region opposition against the local government system, many innovative activities were carried out by the colonialists between 1931- 1950 to develop this system to modern status. Sir Donald Cameron, the Governor General between 1931- 1934 introduced some reforms after observing the failure of the Native authority in the South. According to Shut (1999) Native authority officials were trained the art of modern administration while educated elites were given opportunity to participate in local government through election. Between 1945- 1950 in the South, most of Councilors were elected but in the North they were still the appointees of the Emirs. This action by the South was as a result of educated elite's participation in this governmental system. In 1950, local government ordinance was made in the Eastern region to redress the Native administration system.

The ordinance provided room for experimenting on the new system of democratic local government. Traditional rulers were involved through nomination to fill some seats while the council seats were to be filled through electoral process. The period between 1950 and 1966 was referred to as the era of modern Local government system (Aladegbola & Owolabi; 2005). It marked a period of self- government. During this period, Native authority system was rejected firstly by the Eastern region and later followed by the West and the North. There was introduction of law for an elected local government council in the Eastern region in 1945 and in the Western region in 1952, while defacto president of a paramount chief was abolished in 1958 (Shut; 1999).

Northern Nigeria reform on Native authority could not take place until 1954. This reform was not uniform throughout the regions. With the Military domination between 1966 and 1976, many transformations took place in the local government administration. Prior to 1976 local government administration under then regime of General Gowon, Local government was an affair of the states and did not really exist as a third tier government (Nwachukwu;2004). There was lack of uniformity in the system throughout the country. The model adopted and the detail of implementation differed from one state to the other. Hence this lack of uniformity created a chaotic situation at local government administration unit. Another shortcoming of the system during this period was that each and every one of these regions practiced such an administrative system they felt suitable for their various regions. In other words, there was no unified system of local government administration.

Muritala/Obasanjo local government reform nationwide in 1976 has been described as the era of consolidation of greater democracy at the local government level. This reform attempted a remodification of the local government in order to bring uniformity and stability and also enhanced their communities (Aladegbola & Owolabi; 2005). Despite the structural reforms of 1976, power was still hijacked from the people to whom it was given. This was conducted on no-party basis. The election was at the mercy of the state executive and traditional rulers. Nominated members in many instances ended up being the chairman of council. Most of the chairmen became appendages of the state government. This flaw in 1976 reforms made civilians regime between 1979- 1983 involved in dissolution and creation of local government at their discretion. This period too witnessed no major reforms expect for the creation of more local government in various states. The military regime of Buhari/ Idiagbon that followed only succeeded in merging some of these created local government.

The 1985 reform under Babangida administration marked the beginning of new era. This was the time when local government started to play its role as the third tier of government (Nwachukwu; 2004). Election on a party basis was conducted for two duly registered political parties' i.e. Social Democratic Party (SDP) and National Republican Convention (NRC). The presidential structural systems i.e. the judiciary, legislative and executive organs were introduced into the local government administration while Ministry of local government was abolished. The local government was relatively autonomous. This was not fully achieved: state government did not stop encroaching on the affairs of the council by compelling councils to involve in joint service venture in which the council did not benefit from (Nwachukwu; 2004).

The Abacha regime on assumption of office on November 17, 1993 dismantled the presidential system of the local government structures through decree number 7 of 1997. He placed all affairs of the local government under the Federal military government. Local government creation was visibly politicized with its number increased from 589 to 774 on October 1996 (Kunle; 2000). Abdulsalami regime that followed in June 1998 conducted election successfully into the 774 local governments on multi-party basis to replace the career civil servant as sole-administrators. Presidential structure and functions of local government was not altered but the duration in office of the elected members was not fixed. Obasanjo's regime between 1999- 2006 inherited this problem. This generated a lot of controversies during the first term in office and later resolved by replacing the elected council members with caretaker members appointed by the state governors. The 2003 general election marked the transition from democratic rule to another democratic rule; Local government election was excluded while the newly elected governors appointed another new set of caretaker members. On April 2004, when the election was later conducted the State Independent Electoral Commission (SIEC) was set up for the purpose. This situation caused massive rigging and manipulation of election result by the ruling parties in each state while some did not conduct any election but converted the caretaker members to substantive local government executive and legislative members.

With the constitutional power placed upon the state government to make sure that local government exist (the Amendment Constitution, 1997) many states resorted to creating more local government areas in their states during the Obasanjo administration. This led to fracas between such states and the federal government whereby the monthly statutory allocation of such states was not given to them by the federal government. With the enormous power conferred on states by the constitution over the local government, some state government called for the expiration of the elected members and appointed caretaker members.

In spite of the enormous roles ascribed to the local government according to the 1976 reform to include the following: provision of social welfare services such as schools, roads, water, drainages, health services and mass transit, many local governments had failed to live to the fulfillment of some of these roles. However, with this democratic dispensation, local government that should have been a springboard for national development has turned to an experimental ground for political opportunists to satisfy their political expediency. This third tier of government could no longer perform its statutory roles of complementing the activities of the state and federal government. It is now placed in inferior position and also acted as a stooge to both state and federal governments.

### **CONCLUSION AND RECOMMENDATIONS**

This paper considers the evolutionary and revolutionary dimensions in local government administration in Nigeria. Although many problems were highlighted as major impediments on the effective functioning of the system to meet its constitutional expectations yet the fact still remains that local government system would only serve as pedagogy through which local people could be brought nearer to the government. Hence, the undue interferences by the states and the federal government should be stopped while operators of the system should be committed and be more dedicated to ensure effective performance of its functions.

The local government administration in Nigeria had passed through different forms of government with which they had suffered series of neglect and abandonment. Under the military rule, local government was cleverly proliferated which make the number of the local government areas in Nigeria today increase to 774. This is to ensure the closeness of the people to the government. Notwithstanding, this governmental level always operates below constitutional expectation as a result of undue interferences by both the state and federal governments. In view of this, the following recommendations are made for uplifting the image and effective functioning of this system. The roles of the local government as it has been spelled out in the constitution must be strictly carried out. The operators of the governmental system must not loose focus on these constitutional roles such that their operation will fulfill the constitution expectations of the local people.

Local government system can only perform effectively when it has autonomy. State and Federal government should stop wielding undue influence over the local government. It should be given the opportunity to perform independently with minimum control. Joint projects and account between state and local government should be discarded.

State should contribute their statutory allocation monthly allocation to the local government rather than milking it to increase the financial base of the state. This situation will enable local government to use their resource for effective development of their local area as well as meeting the constitutional expectation of the local people. The local statutory allocation from the federal government which forms the bulk of local government financial base should be paid directly to the account of the individual local governments rather than the state account. This will reduce the financial burdens that most states place on the local government. To ensure effective spending of this allocation, federal government should establish a body that will supervise the financial operations of the local governments so that the local government fund is not diverted and shared by just a group of people. The democratic process in the local government should not be at the mercy of the state government. Election of the local government chairman and councilors should be conducted and supervised by the central electoral body (Independent National Electoral Commission). The tenure of office of the elected chairman and councilors should be spelled out in the constitution and equally supervise by the central body. This will check the undue dissolution of elected local government council's members and appointment of care-taker committees by the state governors.

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