

LOCAL GOVERNMENT AUTONOMY AND GRASSROOTS DEVELOPMENT IN NIGERIA: FACT OR FARCE?

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Abstract

The derogation of powers of local governments by the higher tiers of government in Nigeria is increasingly raising concern over the country's strides for development through the grassroots. The epileptic performance of the local governments and the challenges of extricating the system from the iron-clad grip of the state governments have questioned the autonomy of the Nigerian system. This paper takes on an intellectual excursion into the dynamics of Nigerian local government system to unearth inter alia, the rationale behind: the development of local government system; Nigeria's local government autonomy; and problems and prospects of the system, over the years. It, therefore, argues that states' abrasive interferences on the autonomy of local government system constitutes an affront against good governance and democratic federalism. The satrapic conflict in the federal-state-local intergovernmental relations over the control and supervision of the local governments by the federal and state levels constrain local governments' autonomy and their power of initiating policies and programmes by the local authorities for grassroots development in Nigeria.

Introduction

Nigeria, like many other developing countries is faced with development problems, including the organisation of men and material resources to achieve specific organisation objectives (Adebayo, 1989: 1) of the state as of the local government (Adamolekun, 1983). Local government in Nigeria is traceable to the formative period of larger-scale kingdoms and powerful empires in the country before the colonial era brought in the district councils as the first attempt to improve the hitherto traditional system (Orewa and Adewunmi, 1983: 41) which were further strengthened by the Native Courts as mere administrative gag-wires to exploit the local resources of the rural people for the central government. Citing Obafemi Awolowo's autobiography, Oyediran (1987: 87-100) stated:

At the local government level, many Obas and Chiefs were autocrats with legislative backing. Native courts where justice was expected to be

administered... were dens of corruption and the instrument of tyranny and oppression... As things stood, we knew on which side we should be, the popular side, the people's side.

During the formative period, there were smaller districts, villages and wards that were subject to the kingdoms and emirate governments as exemplified in such places as Oyo, Borno empires and Sokoto caliphate. The portfolio Councillor system under the traditional title-holders also was part of the advancement into local government system under the Native Authority Law 1954.

The need for local government reform was a response to the failure of the central government to address the needs of the local peoples because Nigeria's demographic factor made concentrated power of government at the centre very unrealistic thus giving way to deconcentration of power through local government system to bring government closer to tap the resources of the people for rural development. Williams (1979: xviii) defined rural development as:

The generation of new employment, more equitable access to arable land, equitable distribution of incomes, widespread improvement in health, nutrition, and housing, maintenance of law and order, creation of incentives and opportunities for saving credits and investments.

Rural development, therefore, can be seen as a process or means to bringing development through positive changes with regard to initiating and actualising improvement and increase in scope and intensity of social, economic, and political life of rural people by the provision and maintenance of social services such as education, health, good water supply, housing and roads (Okafor, 1988: 101-113). The necessity of rural development is tied to the dense population of the rural areas as the nuclei of societies; to curb the effects of rural-urban migration and state of poverty-induced criminality perpetuated by anomie in the cities. Hunter (1970: 240) and Yahaya (1979: 20) underscored the above point for grassroots development, asserting:

It is there at the grassroots that the great mass of the people are: it is there that most indigenous resources of men and land are under-used; there that nutrition can be tackled; there that success would do most to slow the migration to major cities... finally, it is there that some redress of gross inequities in income distribution can be started.

Thus far, local government system became imperative to address the neglect of the rural areas caused by urban bias development plans of modern African leaders (Chisiza quoted in Dumont, 1966: 280; Smock and Smock, 1972: 128; Gorvine, 1965: 226).

According to Nigerian federal government (1974: 118), the objectives of local government are: bringing government closer to the people; involving people at the grassroots in the progress of their areas in the context of the overall development of the regions in which they belonged; and embracing indigenous institutions for the purpose of co-ordinating and maximising development effort at that level.

To meet these objectives, various laws were put in place since the 1950s such as the Native Authority Law of 1954 in the Northern Region; the Local Government law of 1955 in the Eastern Region; and the Local Government Law of 1957 in the Western Region. These laws were inadequate because they ignored most, the need for rural development as they empowered concentrated development in the urban areas (Okafor, 1988: 102).

Buhari-Idiagbon military administration intervened and, set up a 21-man Dasuki Committee on Local Government on 29th May 1984 with seven major terms of reference among which the first and the most important was to recommend "The most suitable mode of managing the local government within the context of present military set-up" (Orewa and Adewunmi, 1992: 12).

Under Ibrahim Babangida's military regime, the Political Bureau recommended local government as a strategic and viable instrument for rural transformation and for the delivery of social services to the people, emphasising the followings:

- *Nearness to the People* at the grassroots in order for them to understand and recognise local government and feel its presence and impact on the people;
- *Responsiveness* to the people as a result of its nearness to the people makes the local government to easily articulate and aggregate the demands of the people; and
- *Simplicity* in using less sophisticated and qualified personnel for effective performance. The local government of other tiers provides the greatest scope of grassroots development, touch the lives of the people most intimately, and is the level that the practice of democracy has the greatest possibilities to offer tremendous opportunities for popular participation (Adedeji, 1997).

The above objectives are in sync with the view that local governments in the developing societies should foster better realistic and lasting social and economic development of the rural masses (Emil, 1962). From the military administration of Obasanjo to Abacha's, Nigeria's local government moved from a uniform system of 302 local councils with minimum population of 150,000 and maximum of 800,000 under Obasanjo to 589 under Babangida, up until as much as 774 under Abacha (Akpan, 2009: 59-62).

Conceptual Clarification

The key concepts in this paper: 'local government', 'autonomy', and 'grassroots development' have, over the years, acquired normative and sometimes, perjorative usages; they need to be clarified for deeper appreciation.

Local Government

The term 'local government' has been a subject of intense polemics in intellectual discourses but that is not to say we cannot distill meaning from extant literature. Although many scholarly works (*Guidelines*, 1976; Golding, 1975: 9; Okafor, 1988: 101, etc.) have tried to give meaning to "local government" as a system of government at local level exercised through representative councils established by law to exercise specific powers within defined areas, the definition offered by the United Nations Office for Administration quoted in Ola (1984: 7) and Okafor (1988: 101) explained "local government" as:

A political division of a nation or (in federal system), state, which is constituted by law, and has substantial control of local affairs, including the powers to impose taxes or to exact labour for prescribed purposes. The governing body of such an entry is elected or otherwise locally selected.

Ola agreed that the definition of local government proffered by the initiators of the 1976 reform drew heavily from that of the United Nations Office for Administration to serve Nigerians. The initiators had suggested the definition as:

Government at the local level exercised through representative councils established by law to exercise specific powers with 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 service and to determine and implement projects so as to complement the activities of the State and Federal government in their areas and to ensure, through the active participation of the people and their traditional institutions, that local initiative and response to local needs and conditions are maximised.

The above definition, is widely accepted as more all-embracing of the fundamental elements of local government and thus, Blair (1972: 12) agreed that the three elements that precipitate the establishment of the third-tier government called local government include:

- citizen participation in the management of local affairs;
- efficient and equitable provision of essential services; and
- resource mobilisation for development purposes.

The government is, in addition to the afore-stated elements, a juristic person which by law, can sue and be sued. Local government as the third-tier government is below

the central government and the state in a federal system, Nigeria United States of America, Australia, Canada, India, etc. These powers ideally give the council substantial control over local affairs as well as the staff, 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 governments in their areas, and to ensure, through devolution of functions to those councils and the active participation of the people and their traditional institutions that the local initiative and response to local needs and conditions are maximised (*Guidelines*, 1976; Ola, 1984: 18). Thus, in view of the currency of the terms, local 'government' and 'council' referring to the system of local administration in the rural areas, we shall adopt the use of 'local government' and 'local council' interchangeably in this work.

Autonomy

The second term 'autonomy' has also been subject of varied interpretations. Elekwa (1985:31-41) and Okoli in Ikejiani and Okoli eds (1995:61-71), capture the term 'autonomy' as the degree of state of being self-governing especially in this case, the right of a local government to exist or capable of existing independently, i.e., local self-government. Elekwa went further to state that the independence of the local government is not complete but "substantial autonomy" to ensure fiscal and administrative independence subject only to the guiding rule of procedure enacted by the state as a supervisory tier. Thus local government autonomy refers to the level of right to determine and initiate policy actions by the authorities of local administration in the rural areas as third-tier government.

Grassroots Development

The term 'grassroots' as Babangida (1989) defined, refers to "the membership and leadership recruitment base of the system" of local government. Logically from the definition, 'local' is not a perjorative concept but a political usage which implies that the ward became the nerve-centre of the recruitment drive of political parties and by extension, that men and materials at the grassroots must be enhanced for easy mobilisation for the overall development of the nation. This is a paradigm shift to locate man from his root as the logic of the development.

It is from the obvious clarification that the fact of the study emerges that the whole essence of local government autonomy is to give the rural people the self-governing powers to mobilise and administer local resources to advance development of the society from the local needs and initiatives.

Theoretical Foundation

The theoretical foundation for this study is the elite class distinction. As it were, Pareto and Mosca popularised this theory among others (Dye, 1989; Michel, 1958; Dahl, 1961; Weber, 1947; Bryce, 1921), etc. Their view is that society is

diametrically divided into two and opposed to each other. At the opposing sides, are the elite that governs and the group that is governed and, therefore, public policy represents preferences and values of the government of political elites. Dye argued that the superimposition of elite preferences and choice upon the relatively atomised and fragmented people is because the "people are apathetic and ill-informed about public policy; that elites actually shape mass opinion on policy questions more than masses shape that of the elite (Dye, 1989: 1).

Deriving from the theory is that policies are made to represent and protect more, the interest of the elite than the people. Elite theorists have come to agreement that the reason for the political scenario is that the elite with superior personal qualities constitute a cohesive and intelligent group with numerical minority that fits into the apparent hierarchical nature of governmental power. The ruling minority becomes inevitable. Put differently, the elite' cohesion offers them the extra-bureaucratic power base to control the hierarchy of graded authority. Supporting this view, Suleiman in Page (1985: 149) reveals that policies are judged according to their impact upon the power position of the elite because as Weber also, in Page (1985: 91-92) adds, many of the state's new tasks were partly 'foisted on it by interests' and, therefore, it would amount to fantasy to expect that 'it would be the state which would be the regulator of the economy, As logic would expect, to think that policies are made for the greatest good of the greatest number is to think the unthinkable!

Drawing from the elite theory, the self-governing system of local government is no less of the experience of the control of the ruling elite in society; the compradorial elite that use the illiterate majority to achieve their political interest as exemplified in the ossification of the local administrative and financial autonomy and failure of the local government to address the local needs of the people at the grassroots government. The existence of a small, strong "power elite" among a mass of inactive rural people who are not involved in the decision to better their lives in the rural areas is a confirmation of Robert Michels "Iron Law of Oligarchy" which suggests that the masses remain inactive at the mercy of the decisions of the former.

Historical Development of Local Government System in Nigeria

As we have earlier noted, there were traditional government in the areas now called Nigeria before the colonial administration. Afigbo in Crowther (ed.) (1987: 424-484) wrote: The British began the establishment of their rule over Nigeria by signing treaties of protection with the big kings and chiefs holding sway over large areas and peoples in Nigeria.

The British' recognition of the kings and chiefs as sovereigns automatically transferred the sovereignty of such areas under agreement without further consultation of any other higher authority. Onwumechili (2000: 32) agreed with Afigbo stating that the British did not introduce the traditional system of local

government under the kings and chiefs but divested the system, in modern times, of its political and religious powers as royal prerogatives. The colonial masters conceived the traditional system as evoking the 'holiness of ancient orders and powers (Weber in Page, 1985: 8), such as tribal or clan loyalties. Marx in LaPalombara (1967: 62-95) also contended that tradition seeks kinship because the worship of tradition makes the civil servant a ready ally of the military. The perception of insecurity under the authority of the traditional rulers led the colonial masters rally to the phalanx of reform by appointing their preferred loyalists and thereby divesting the powers of the traditional authorities. However, it remains a truism that the colonial administration built the existing foundation of traditional government into modern local government (Idike in Ikejiani and Okoli eds, 1995: 61-71).

With the legislative, executive and judicial powers, the local government system went no further than serving the colonial masters and their immediate indigenous political successors as an administrative conveyor-belt to exploit the distant native peoples, using the canopy of a "learning process" to control the centre. The Nigerian elite inherited the reform as a perfecting process of expropriation of rural wealth and carried on reforms to perpetuate their control over local government, giving little more lip-service to the philosophy of decentralisation and local autonomy. Stewart (1958:196) agreed that the role of local government is based on national exigencies of the central government and maintained:

Local government is necessary because the central authority has not the time to concern itself with every lamp-post and footpath, and the first task of local authority is to minister to purely local needs... serve as agent for the government, adapting the main lines of policy to local conditions ...if they enjoy some measure of independence, they can make experiments which may help future legislation, they will attract the interest of the citizens...that there is devolution of functions to enable the local government as an agent of the central government to perform its roles of "adapting the main lines of policy to local conditions..."

Yar'Adua in announcing the *Guidelines for Reform of Local Government* in Nigeria (1976), stated: "if stability at the national level is to be guaranteed, a firm foundation for rational government at the local level is imperative". So, part of the objective of local government system is to guarantee stability through creation of more space to absorb competing elite or politicians interests and thereby remove "excessive and suffocating competition" that would inexorably impair national stability.

Local government system under the regions in 1963 maintained scope of needs. In 1967, 12 states were created and the regional forms were dismantled, proliferated and functioned under states authorities. Each state adopted a name for its

system. Among "Development Administration" and "Divisional Administration" in the Eastern and Western States, "Area Administration," and "Local Authorities" in the North, the catch-phrase was development.

In recognition of the need for a system of government closest to the people within the internal diversity of Nigeria, the historical context and peculiar problems of each local government among the contending multi-dimensional problems, autonomy became imperative. Under the 1976 local government reform, the military administration of General Obasanjo saw it was through local government as third-tier system that human and material resources of the country could be effectively and efficiently mobilised for rural development (Yar'Adua, 1979). Brigadier Shehu Musa Yar'Adua stated the objectives behind the regime's efforts to improve local government system thus:

... the federal military government was essentially motivated by the necessity to stabilise and rationalise government at the local level. This must of necessity, entail the decentralisation of some significant functions of the state government to local levels in order to harness local resources for rapid development. The federal military government has, therefore, decided to recognise local governments as third tier of governmental activity in the nation; local government should do precisely what the word government implies, i.e., governing at the grassroots or local level.

The structural inadequacies led Nwabueze (2002a: 8-9 and 2002b: 8) to espouse that in the reforms, what was being demanded was a tripartite division of powers that would bring a local government into direct relation with the federal government based on the principle of autonomy and equality between all three tiers of government. These factors strengthened the resolve of Babangida regime's to put forward local government autonomy in Nigeria. According to Nwabueze (2002a: 8), the principle of autonomy in the local government system is "a great deliverance" and the "most important legacy of the military government" to stop the state governments from "cavalierly and whimsically tinkering with local government organs."

The 1976 reform introduced uniform system of local government with minimum number population area and made a third-tier level of government as embedded in the 1979 constitution. As a third-tier governmental structure, the local government was exposed to presidential system of government (*The Guardian*, 2003: 9).

Rationale for the Autonomy of Local Government in Nigeria

Since the autonomy of local government was introduced to achieve an appropriate democratic model in the system, it became one of the most confused, misinterpreted and contentious in the degree of operationalisation, local

mobilisation and participation in the government of the grassroots. The 1976 local government reform had the main objective to achieve a uniform system of local government from the otherwise multi-variate and manipulated system. The uniform system of local government by the military government was designed to guarantee effective social service delivery (*Guidelines*, 1976).

It was the first time, the local government was granted some measure of autonomy within the sphere of its competence and adequate and reliable source of external funding as a third-tier of government in Nigeria. The autonomy was later entrenched in the 1979 Constitution. The unified system had mandatory acceptable minima of structure, size, tenure of office, and common institutions such as local government service board (Nwosu, 1985: 85-96).

By 1984, the military turned local governments as veritable political instrument for generating and consolidating political support, whittled down the autonomy, and supplanted the political leadership with sole administrator variant in order to shore up support while the Committee to review the local government administration in Nigeria was underway. However, the remaining structural deficiencies after the 1976 reform and the flaws of the Sole Administrator system were mostly the logic behind the Babangida's reform to reposition the system for effective service-delivery.

Raison D'etre of the Babangida Local Government Reform

The major policy thrust of the Babangida regime was the Structural Adjustment Programme (SAP). At the political level, SAP by its liberal nature and deregulation brought in gradual demilitarisation and opening up of the political arena to partisan political activities based on liberal democratic theory. It is common knowledge that in response to the demand of social, institutional, political and economic liberalisation of the time, Babangida enunciated local government autonomy with complementary rural-based agencies, for example, the Directorate for Food, Roads and Rural Infrastructure (DFRRI), the National Directorate of Employment (NDE), Better Life for Rural Women, Family Economic Advancement Programme (FEAP), National Agricultural Land Development Agency (NALDA), National Accelerated Industrial Crop Production Programme (NAICPP), National Agricultural and Cooperative Bank (NACB) and many others where the local government council's with their initiatives could tap from in empowering their rural mass for the overall national development as closest government to the people (Obi in Ikejiani-Clark and Okoli, 1995: 1-32).

To make the system more effective the mobilising local resources for the development of the rural areas based on the thesis that political participation ought to begin at the local level with the integration of the local mass so that they will master the techniques of administrative politics, the regime promulgated Decree No. 15 entitled, "Local Government (Basic Constitutional and Transitional Provision)

Decree 1989 and amended the decree in Decrees No. 25 of 1990, No. 3 of 1991 and No. 41 of 1991 to do away with some of the structural misfits through the following strategic measures:

- (a) abolishing the state ministries of local government;
- (b) extending presidential system of governance to local government system as was in both federal and state level;
- (c) removing the system of appointment in local authorities and replaced it with democratic elections.
- (d) Empowering local governments to make bye-laws;
- (e) Increasing the statutory allocations to local government and making it possible that they receive their allocations directly from the federation account;
- (f) Transforming new chairmen into chief executive and accounting officers; and
- (g) Granting full autonomy to local governments.

The Babangida's reform sought to empower local governments to run their affairs without interferences of the states with administrative, financial and legal autonomy. The administrative autonomy made the Chairmen Chief Executives; financial autonomy gave them right of Accounting Officers and, by the same token subjected them to financial probity and accountability; and legislative autonomy gave the local governments the right to make bye-laws by the legislative arm.

The principle of autonomy, as Stewart would argue, is to "make experiments" on the ability of the local councils to initiate political, economic and social activities of the citizens. With the Babangida reform, the local government system was brought to the peak of perfection with the first ever in Nigerian history elected Chairmen of local governments on December 1990 with their appointed supervisors separate from the legislative arm.

Challenges in the Operationalisation of the Autonomy

The operationalisation of the local government autonomy is beset by so many fundamental and structural problems among which are financial recklessness of the local government authorities, financial dependence of local governments, supervisory roles of higher levels of government, satrapic conflicts generated by states and federal governments' interferences, lack of trained manpower, lack of probity and accountability, resulting to inefficient and ineffective operations. It is pertinent for clarity of purpose that some of these points be treated in more details under the following sub-headings:

- ***Financial Recklessness of the Local Government Authorities***

Part of the challenges of the local government is caused by the local authorities. The challenges stem directly from abuse of probity and accountability;

gross and wanton breaches of financial regulations and procedures; misappropriation of funds through spurious contracts and non-existing projects. These are better itemised under the following headings:

- extra-budgetary expenditures;
- payment of fictitious claims, e.g., collection of money for unattended seminars and workshops; expenditure of ₦18 million on hospitality by Otse Otokpo, Chairman of Ado Local Government in Benue State;
- collection of undue and inflated 'constituency' allowances;
- up-front payments from inflated contract sums to council members;
- using local government fund to bribe auditors-general to cover financial irregularities;
- use of aides of local government authorities or fictitious names to defraud the local governments;
- forgery of receipts to defraud the local governments;
- engagement of local governments' funds in 'ghost' and 'white-elephant' projects;
- settlement of political godfathers through overbloated contract sums;
- use of local government funds to enrich authorities through fixed deposit account yields;
- wasteful expenditure on frivolous foreign trips (Ojewale et al, 2001: 55-63);
- bloated salaries and wages of chairmen and councillors without taking into consideration the income earning capacity, evenue base and viability of the councils (Iromaka, 2003: 41).

The enormity of abuse of office through financial irregularities exposed the local government to the whimsical interferences of the state governments. These were the reasons for incessant dissolution and suspension of elected local government officials and councils by governors of states on mere allegations and motions by the States Houses of Assembly bordering on financial improprieties (Ojewale, 2001).

● ***Local Governments Financial Dependence***

The local government councils rely heavily on the federal government for their funds because most of them were created on political consideration than by objective ones without consideration of their viability. This practice enlivens the common aphorism that he who plays the piper dictates the tune. Riggs in LaPalombara (1967: 120-167) reinforced the view that the measure of local authority in a country is certainly related to the ratio of locally financed and controlled programmes to local programmes which are centrally financed and controlled. It is, therefore, impressionable that the prevalence of the phenomenon of

'grantsmanship' - the entrepreneurial ability to use the complex system of grant aid to get federal money for one's own individual locality and the principle of 'fungibility' - the ability to use federal money for purposes other than those of which it was intended, mean that one cannot simply equate federal grants with direct supervision and control of the state and local government.

Many local governments in Nigeria remain too weak and too poor as "mere administrative appendages" of state governments with unpleasant consequences. The position of the law is clear on the circumscription of local government fiscal autonomy. Chimaroke Nnamani in a lecture published in *Newswatch* (2003: 45-54), cited the 1999 Constitution of the Federal Republic of Nigeria, Sections 7 and 8 as providing that there shall be:

the system of local government by democratically elected councils which is by this constitution guaranteed: and accordingly, the government of every state shall, subject to section 8 of this constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils.

Section 7(5) goes further to provide for the functions of the local government council in Section One, Schedule Four of the constitution. Under the same Fourth Schedule, item (d), the constitution also provides that the sources of revenue are to be performed "as may be conferred on a local government council by the House of Assembly of the State." Thus the Chairman of Osogbo Local Government, Tajudeen Oladipo in Akpan *et al* (1992: 9-16) attests: "No local government can survive without allocations from the Federation Account. This heavy dependence on the federal government is a big minus for local government autonomy."

It can, therefore, be said here that the Nigerian local government autonomy is a scape-goat of centrifugal political leadership which depends upon a diverse array of external federal and State groups of compradorial mentality.

Supervisory Roles of the Higher Levels of Governments

After the Babangida's reform, local governments still remained with the subsidiary roles of adapting national policies to the local areas under supervision by the higher tiers of government. The supervisory roles conform strictly with the policy objectives and law of the land. This means that they are constitutional inferiors to States and Federal governments. The doctrine of *ultra vires* prevents them from acting in total freedom. The federal government plays supervisory role as allocator of resources (finances) to local government. The provision approximates section 162(7) of the 1999 Constitution which states:

The amount standing to the credit of local government councils in the Federation Account shall be allocated to the States for the benefit of their

local government councils on such terms and in such manner as may be prescribed by the National Assembly (Jimoh, 2003: 10).

The federal government can also reorganise the entire structure of local governments given the powers of the National Assembly to approve and confirm newly created local government councils by the States. The reason is that "no central regime is willing to turn over its funds for unsupervised use by local authorities". The central control under section 34 is repugnant to devolution principle as it is also a monkey wrench to the spirit and letter of local government autonomy within democratic precepts. Part of the *im passe* is that while local governments want the Federal government to pay for their development programmes, they do not want it to staff and control them.

The Babangida's reform engendered what Okereke (1996) referred to as "*collegiate commandism*" as an approximate of Mosca's (1975: 228) aphorism: "The class that bears the lance or holds the musket regularly forces its rules upon the class that handles the spade or pushes the shuttle." The implication is that local government authorities are deprived the legally-defined powers and obligation (competence) to ensure rationality. It is the ossification of boundary between competence and hierarchy (being able to claim authority to review the actions of subordinates) that in part constrains efficient and effective service-delivery by the local government operators.

The local government councils have become subject to instability by incessant dissolution, suspension and freezing of accounts and politically-motivated probe under the State and federal governments, for example, Governor of Edo State has just dissolved the 18 local government councils of the state and froze their accounts (*The Nation*, 2010: 7); it is the same story in Ekiti State with Fayemi's local government caretaker committees. These supervisory roles result to conflicts to the detriment of the operations of the local government.

• ***Satrapic Conflicts Over States and Federal Governments Interferences***

The sources of the conflict between the Federal and State governments stems from the legal ambits of 'federalism' 'autonomy' and 'supervision'. Thus while the country is split into three component units of federal, State and local governments in line with the reforms of 1976 and 1986 as respectively entrenched in the 1979 and 1999 constitutions, in furtherance of the principle of federation, the operation of self-government (autonomy) has remained minimal because of the provision for 'supervision' by the State through the House of Assembly, subject to section 8 of the 1999 Constitution, to make laws in respect to the establishment, structure, composition, finance and functions of such councils (s. 7(1)). While the States have the right to create local government, the National Assembly has the responsibility of

legislating on them before they become legally recognised to operate (s. 8(5 and 6)) as the appropriating body (s. 7(6b)).

The constitutional ambiguity and inherent contradictions of the 1999 constitution created political crisis, intrigues, confusion and the observed non-performance which stem from the uncharted ideological roadmap (Ejiofor, 2005: 5; Greene, 1974) for national political course of activities on a well-planned boundaries of inter-governmental relations within the various tiers of government. For Eyestone (1987), a political crisis is a situation caused by external forces, in which definite and prompt action is required." Therefore, the difficulty in resolving the crisis in the standard operating levels of federalism, autonomy and supervision by the higher levels of government on the local governments is understandably predicated on two broad political assumptions of:

- a possible twist of budgetary calculations; and
- the expected shift in political authority and loyalty.

In both cases, the States will gain if apparently, the federal principles are applied to the letter. This is the crux of the matter in the "proliferation" of local governments, "suspension of local government allocation", the "zero allocation," "electoral bill", and the "resource control" politics in Nigeria by the political elite to win back their offices.

The disagreement between the State and Federal governments borders on control, for instance, the structure of local government. States with lower number of local government having failed to make the position of key officials of the local government appointive rather than elective and stop federal government's allocation to States based on the number recognised by the constitution (Akpaekong, 2003: 45) have adopted the strategy of proliferation of such local governments (as between 1999 and 2003 in Bayelsa, Ebonyi, Enugu, Abia, Nasarawa, Niger, Gombe, Ondo, Ogun, Katsina, Lagos, etc.) (Omonijo, 2004: 32-33) to attract more federal allocation. But the federal government declared such local governments created by the state governors 'illegal', and went further to stop local governments allocation to such States. The Lagos and Niger States examples stand out conspicuously in interferences in the local governments affairs Mojeed and Oshunkeye (2003: 42-43).

Part of the strategy of control despite financial autonomy is the hide-and-seek game of the states and federal governments which has saddled the councils with many statutory deductions (Nwakandu, 2005: 4). Apart from the abuse of the State-Local Governments Joint Account Committee (JAC), where part of the local government funds is set aside to pay spurious debts "from exhumed files" of parading contractors of state governments (Akinwalere, 2002: 22) and federal government. Attesting to these phenomena of abuse, the Nigeria Union of Local Government Employees (NULGE), Ebonyi State blamed this act on a retinue of state imposed deductions such as:

...illegal deductions against the local government fund through the Joint Account under the guise of funding primary education, Civil Defence, National Youth Service Corps, Governor's Liaison Offices, traditional rulers, NIGEP, river blindness, Adult Education Programme, Ebonyi State Independent Electoral Commission, Vigilante groups, Board of Internal Revenue, village-based health workers, Ohaneze Indigbo, non-pensionable staff in local government areas, providing highly inflated official vehicles and sound-proof generators (Eze, 2007: 6-10).

Thus, lack of financial efficiency conspire against local government operational efficiency. Okoror and Ndujide (2003: 8-9) joined the debate and buttressed that the accusation of non-performance on the local government is unjustified, because:

While it may be true that about ₦750 billion went to the 774 councils, the accusation of non-performance did not consider the disbursement... Over ₦9,654,646,634.80 was deducted every month for the payment of primary school teachers salaries. Total of ₦463.2 billion was deducted between 1999 and May 2003 for that purpose... a minimum of ₦37.5 billion or five per cent went to the traditional councils in the country apart from purchase of Limousine cars for traditional rulers in Bauchi, Kebbi, Kwara, Osun, Oyo States, etc... About ₦176,933,804,603 went to local councils political office-holders emoluments approved by the Revenue Mobilisation Allocation and Fiscal Commission. 15 per cent went to Local Council Staffers Pension Boards. 1 per cent went to Service Commission for training local government staffers. Another 1 per cent went to Ministry or Bureau of Local Council for administrative costs... For compulsory funding of the 2003 general elections, a minimum of ₦10,000,000 was contributed by each council.

The imposed deductions to execute projects otherwise not initiated by the councils, some of them at variance with the local needs and conditions were central to the politics of "zero allocation," and "resource control" in Nigeria. For instance, the Obasanjo administration by-passed the States, ordered probe of the councils and under the probe intimidated them to fund the purchase of 1000 Toyota alleged security jeeps which he bought by himself for the 774 councils at the unit cost of ₦4.1 million (Akpan, 2009: 61).

Under President Umaru Yar'Adua's due process and rule of law, the president suspended deductions and withheld deduction of ₦3.7 billion for July from the 774 local government councils funds in an escrow account, which was claimed to be for the building of "comprehensive health centres" in each of the council areas (Onuorah, 2007).

On its face value, one may rush into sweeping conclusion that Nigerian local governments enjoy financial autonomy but in the pragmatic sense, there are all manner of captive and profligate spending through imposed contracts and deductions by the higher tiers of government.

However, Uya (2000: 59-63) argued that although federalism is the division of power between various tiers of government, Jinadu (1999) insisted that the federating units must ensure the achievement of the aspirations of the State. For Uya (2000) and Appadorai (1975), formal division or enumeration of powers, functions and areas of competence in a federal constitution is no guarantee that it will be respected, especially when they do not serve the special interest of the ruling elite.

The States argue that any autonomy which permits local governments to deal directly with the federal government amounts, in terms, to a clear violation of the constitutional sovereignty of States. Thus, we have sowed the dragon teeth where the States perpetrate the evil of financial expropriation through lopsided political proliferation of local government councils or sometimes, through outright denial of local government of their funds.

- ***Constitutional Ambivalence and Devolution of Powers among the Tiers of Government***

The problem of dispersal of functions and powers in the federal-state-local governments relations is a function of constitutional ambivalence. Soyombo (2004: 65) reasoned that the constitution upon which the inter-governmental function and powers are defined is contradictory in terms. The 1999 Constitution, he noted, reposes on the State the responsibility of creating local governments in a state legislature and takes away such powers by surreptitiously vesting on the National Assembly the power to ratify such creations simply because it appropriates money for them. However, it has become common knowledge that while the operational and recognised local governments were not created by the States, the State-created ones were considered illegal and void without constitutional backing for operation. Nwabueze (2002a: 8) tackles the resolution of the problem from the point of law that matters of local government is of local concern and, therefore, universally recognised "as inclusive responsibility of the State governments...as a residual matter...within the exclusive authority of the State governments" (s.4 (7) and s.5 (2)).

As a residual matter, "not only does the constitution not create local governments but also it confers no function directly on them." The local councils cannot assume any enumerated constitutional functions except by the powers of the State House of Assembly law; they are limited to making bye-laws (Onwe, 2005: 5). Nwabueze maintained that the federal government has no business over local government affairs. President Obasanjo bemoaned the parlous state of the local government and proffered the need to further reposition the system (*The Guardian*, 2003: 19).

The problem of stultification of the initiatives of the local authorities from efficient and effective performance in engineering grassroots development led Nwabueze to advocate alternative constitutional remedies of upgrading local governments to "structural equivalents" of both the States and federal governments to breathe life into their autonomy and avoid the whimsical and capricious control of the councils by the States and federal governments (Nwabueze, 2002b: 8).

Summary

Although there are remarkable problems in the reform package with inherent autonomy to the local governments, there are, in contrast, some measurable achievements to the effectiveness and efficiency of the local government system in Nigeria, which include:

- the decentralisation of functions by devolution which is made to harness local resources for rapid socio-economic development;
- the increased management efficiency and exposure of local populace to development skills at the local level;
- the introduction of checks and balances in the local government system;
- introduction of accountability and probity in the discharge of functions by the functionaries;
- the decentralisation of local governments in order to stimulate active participation of local citizens and increase political recruitment in running of local affairs; and
- helping to sensitise the local people in selecting and evaluating the performance of their local representatives.

The observation now is that many of the chairmen pursue selfish ends in over-bloated employments, financial fungibility and embezzlement than the routine task of carefully harnessing the rural resources for the overall national development. All these combine to make the local government system expensive to run. Akpan (2009: 62) reported that according to available statistics, the 774 LGAs and six area councils of Abuja spend ₦593 billion every year to pay the salaries and fringe benefits of the 11,788 political office holders in the system. The amount represents more than 50 per cent of the councils' annual budget and barring the common practice of proliferation of local councils by the states and its financial implications under the guise of development centres or whatever name. The local governments should toe an expenditure pattern of seventy per cent funds for capital, twenty per cent for overhead and ten per cent personnel in order to enable them achieve the objective of grassroots development.

Part of the problem also is that most of the local government violate the inbuilt control mechanism: the requirements that they submit to Public Account Committee, the Revenue Allocation and Fiscal Commission and Auditor-General.

There is, therefore, a great need to strengthen these institutional control mechanisms to make them less vulnerable or susceptible to the overwhelming executive manipulation and collaboration to persistently loot the public till in the exercise of executive powers.

From the study, it is now brought to the fore that much has to be done for Nigeria to meet the principles and gains of federalism in order to reposition local governments to any semblance of the "business of the people", "focal point of economic philosophy of reconstruction, social justice and self-reliance" or of reducing "the agitaton for state creation as a result of the intractictable syndrome of marginalisation from the State administration." Untill then, this scenario for local government operation is aptly under veiled autonomy.

Conclusion and Prescriptions

In conclusion, one observes that the autonomy of local government which supposedly is a turning point in effectuation the transformation of rural areas through collective conscience awakening for development is corroded by the framework for financial and administrative controls of local authorities by the state and federal governments. Among the three tiers of governments, therefore, the local government has remained the worst under instability. For all practical purposes, no State of instability promotes progress, especially when related to their number, structure, and geography. This is why there have remained obvious lapses that need to be attended to. One is that Nigeria should in search of its political ideology, have a clearly defined grand strategy that will guide her political and administrative functions. Two, there should be clearly defined levels and limits of functions and intergovernmental relations to help reduce political crises over the administration of local government in Nigeria. Three, local governments should, be made more self-reliant in terms of revenue base, legality and administrative powers in order to shore up autonomy profile to embark on their peculiar development needs. Four, there is, as before, the urgent need to foster wider political education of the rural people on the roles and objectives of local government for more achievement orientation, through a mechanism of prudence, probity and accountability as sustainable development is the desire. The time is long over-due for public discussion on the way forward for a new Nigeria with vision and hope for rural development as the sure-fire for national development. Except these steps are taken, the local government operation will continue to suffer in the hands of compradorial mentality of the ruling elite milking the local government of the resources meant for grassroots development despite the promising underlying principles and objectives in the reform processes. Except the afore-state purposes are realised, the autonomy of local government for grassroots development in Nigeria would remain a perennial farce.

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