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International Digital Organization for Scientific Research

ISSN:2579-082X

IDOSR JOURNAL OF BANKING, ECONOMICS AND SOCIAL SCIENCES 2(1): 58-66, 2017.

Re-Inventing A Stronger Third Tier Level of Government in Nigeria

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ABSTRACT

The Local Government has remained a key component of the political system in Nigeria. This work, therefore is aimed at examining critically the failure of the Local Government to justify its existence. Secondary source of materials were used. Efficiency-service Delivery theory was used as explanatory tool. The findings showed that some of the main reasons for the poor performance of the third tier government in Nigeria include : (a) Constitutional constraints imposed on the 3rd tier level of government; (b) Corruption; (c) the negative activities of the so-called "political stake holders"; (d) low statutory allocation and inappropriate channeling of available resources; among other factors. The work recommended (a) constitutional amendment of some relevant sections of the constitution which affect the Local Government; (b) curbing the activities of the stake holders; (c) deliberate checking of corruption in the system; (d) conducting free and fair election.

Keywords: Local government, political system, corruption, constitution.

INTRODUCTION

Local government in recent time has generated a lot of interest in national and international politics as a result of its strategic influence and impact on the lives of the citizens in the rural areas. Local government administration has remained the dominant global strategy by most governmental systems at the [1]. It has become apparent that all forms of government or regime appear to have adopted the practice of local government as an effective means of ensuring development at the local level [2]. Local government activities are fundamental and vital as they affect the basic daily lives of the rural and urban dwellers. It is this crucial role of the local government that resulted in its emergence in Nigeria in 1976 as a third tier of government. Thus, local government in Nigeria has been assigned a gamut of functions and responsibilities as contained in the Forth Schedule of the 1999 constitution of the Federal Republic of Nigeria. Some of these functions include ; Economic development, provision of basic amenities. Maintenance of law and order, mobilization of the people for rapid rural development etc. However, there has not been any rapport on the most appropriate ways or strategies to achieve the objectives of local government. This has equally resulted in development of several theories and other

explanatory frameworks to explicate the nature, structure and appropriate operational approaches to realize its stated role and functions.

OBJECTIVES OF THE PAPER

This, paper therefore, focused on finding the most appropriate strategies to make local government councils more effective and result oriented. It also aimed at identifying the major obstacles to effective local government administration in Nigeria, which includes constitutional constraints, lack of transparency, weak political institutions, political interference, poor perception, etc. Finally, the paper made some salient recommendations to ensure that local governments become more responsive to the yearnings of the rural dwellers.

CONCEPTUALIZATION

- (a) Local Government: A gamut of contributions and controversies surround the conceptualization of the term "local government". This is sequel to the fact that there is no unanimous acceptable definition and explanation of local government among scholars on the subject matter. This failure to agree on an acceptable definition has generated a lot of views and ideas as to what local government means and stands for.

However, there are some definitions by some scholars which to a large extent are apt and more acceptable to a large section of scholars in the field of Local Government and public Administration. These differences in definitions do not remove the fact that all the attempts have a common focus which is the transfer of political powers to local areas by involving the rural people and inhabitants in the provision of basic social needs in the communities. It is proper at this point to discuss some of the definitions by the scholars in the areas of study. Generally, local government is seen as the third level of tier of government created by law to exercise political powers in the rural areas as majority of the people live in the rural setting within definite areas. It is the public administration of the administration of the rural areas such as town, cities and villages.

[3] and [1], have defined and distinguished local government based on the political structure in the country or state. The United Nations Division of public Administration defines local government as " a political subdivision of a nation (or as a federal system) a state which is constituted by law and has substantial control of local affairs, including powers to impose taxes or to extract labour for prescribed purpose. The governing body of such an entity is elected or otherwise locally selected".

Local Government is a unit of government below the central, regional or state levels established by law to exercise political authority in a representative council within a definite geographical area. [4], [2]. Local government system is also seen as the lowest unit administration to whose laws and regulations, the communities who live in a defined geographical area and with common social and political ties are subject. [5], defines local government " as government by popularly elected bodies charged with administration and executive duties in matters concerning the inhabitants of a particular district or place".

The 1976 Guidelines for Local Government Reforms, as observed in [6], [7], [2] defines local government as : government at the local level established by the law to exercise specific powers within defined areas and 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 and to ensure that local initiative and responses to local needs and conditions are maximized.

The above definitions have established that local government is a multifaceted concept with varied elements as seen in the works of some authors on the subject matter. Some of these elements are:

- a. That local government operates within a defined geographical term.
- b. It has a certain population living within the confines of a defined territory.
- c. It is a government that operates at a local or grassroots level.
- d. It has its council composed of elected representatives
- e. Has a range of constitutionally delineated functions to perform.
- f. Has a relative autonomy or independence.
- g. It is a legal entity of its own and can sue and be sued.
- h. It has a lower level of government in a unitary system and lowest of government in a federal three tier level of government. All these definitions have one element which is the fact that local government is an instrument for rural development.

THEORITICAL FOUNDATION OF LOCAL GOVERNMENT

There are several theoretical perspective by scholars on the theories or models of local government which give explanatory views on the existence, purpose, functions and philosophical foundation in the field of local government student.

Three major models or theories which were looked at include,

- a. Democratic-participatory model. The main thrust of this model is that local government is seen as a training ground for political leaders. Local government is expected to enhance achievement of democratic ideas, political participation, protective and infrastructural service like provision and maintenance of health facilities and institutions [7]. According to Lord James Bryce, local government, is the best school of democracy and the best for success is the practice of local self government. Major proponents of this theory include [3] ,[2] and [5].
- b. Efficiency -service Theory. The scholars in this school of thought believe that the local government occupies the best position for the efficient performance of certain function. It also states that due to the nearness of the council to the people, and the smallness of the population, there is efficiency in the provision of basic amenities. The closeness of the council consequent designing of the appropriate solutions to the identified problems [6]. The Chief proponents include [8]and [9].
- c. Developmental model: The proponents of this model see local government, especially in developing countries as a veritable instrument for development, national integration, national evolution and national consciousness [9]. They also contend that local government can and should have the function of helping to reduce the congestion at the center by being involved in implementing social

economic programmes aimed at reconstructing the infrastructure needed for an improved way of life. [9] quoted in [10].

For the purpose of this paper, the Efficiency Service Delivery Model, has been chosen as the most apt to explain the objectives of this paper. The main thrust of this model is that local government exists to provide socio-economic and political service and it must be judged by its success in providing services as expected and standard measured by national inspectorate [8] cited in [9] and [4]

The Efficiency - Service Model is hinged on the fact that the primary purpose of the local government system is to provide such services as law and order, local roads; primary education, sanitations and other service efficiently. [2]. [11], state that the core central point of the Efficiency - Service Delivery School is that local government exists to help ensure efficient service delivery. One of the leading advocates of this model, [8], quoted in [12], states that service delivery to the local people is expected to pre-occupy the resources, power and time of the local government [5]. He went to posit that the proponent of the Efficient Service School, argue that even with less democratic participation in the government process, as long the inhabitants or the people in the grassroot got efficient service from the local government, they are better for it.

It is believed that because of its closeness to the people in the grassroot, it can provide certain services more efficiently than other tiers of government such as state and federal government.

Fundamentally, the main thrust of local government globally, is the provision of essential amenities at the grassroot because of its strategic position. It is more united, viable, effective and efficient in providing certain functions and services to the people. This justifies the adoption of efficiency-services model in this paper. It is pertinent here also to mention some of the functions of the local government as enshrined in the 1999 Constitution of Nigeria in schedule Four. Some of these functions include:

- Consideration and making of recommendations to a state Economic Commission on economic planning or any similar body.
- Collection of taxes, radio and television licenses.
- Licensing of bicycles, trucks etc.
- Establishment of slaughter houses, slabs, markets, motor-parks, public conveniences.
- Construction and maintenance of roads, streets, street lightings, drainages, open spaces etc.
- Naming of roads and streets, numbering of houses.
- Sewage and refuse disposals.
- Assessment of privately owned houses or tenements.
- Registration of birth, deaths, marriages.
- Control and regulations of (a) outdoor advertising and hoarding. Shops and kiosk, restaurants, bakeries [13].

From the above enumerated responsibilities and functions, local government has huge responsibilities to carry out and deliver to the people in both rural and urban areas. How

local government carry out these functions efficiently and effectively is a complex issue. To what extent have local governments carried out their responsibilities? Have the people - the grassroots really benefited from the existence of local governments? What are the hindrances to the Efficiency - Service Delivery in the local government. The answers were attempted here.

Evolution of Local Government in Nigeria and Performances of Local Government Councils in Nigeria

For several years, the performance of the local government system has remained below expectation. Several scholars and other operators of the system have lamented on the abysmal failure of the local government to efficiency and effectively discharge its stated responsibilities. [13], noted that in spite of the fact that 1976 Local Government Reforms granted greater autonomy, powers and functions to local government, they still have a long way to go towards the satisfactory performance of their functions in many areas. Infact, the local government is the most vilified of the three tiers of government in Nigeria. It has come under severe criticisms for not living up to its responsibilities as enshrined I n the Fourth Schedule of the 1999 Constitution. The existence of the local government as the third tier level of government has suffered serious threats of extinction because of its non performance. Admittedly, majority of the local government councils, have not actually given Nigerians the opportunity to appreciate its nearness to the people and to bridge the gap between the government and the rural dwellers [8].

The above criticisms have portrayed the local government in bad light to the extent that some schools of thought had advocated the scraping of the local government system from the Nigerian political structure. To some extent, the views of the critics are not entirely correct. It is pertinent to observe that in some states, like Lagos and Enugu, some local government councils to a large extent performed and carried out their responsibilities and functions creditably well based on the resources available to them and other operational inhibitions which most critics and observers do not know or feel. [14]. During Governors Fashola and Chime administrations, (2007-2015). Some local government councils in these states performed well in the discharge of their duties. This is verified with a visit to the states. However, majority of the councils performed below expectations let us look at the main reasons why most local government do to perform in Nigeria. Some of these factors include:

Constitutional provisions of section 7 sub section (1) of the 1999 constitution. The provision in the constitution is defeated when it provides that it is still the province of the state government to ensure the existence and also provide for the structure, composition finances and functions of the local government.

Corruption and lack of transparency .

Inability to collect their general revenue due to inefficiency.

Party politics.

Inadequate finance. Resource inflows in the local government councils are mainly from the Federal Allocation Account Committee and Value Added Tax (VAT), which constitute over 85% of resources to local government councils. The internal generated revenue of local government councils is generally less than 10% of their annual revenue inflow. This is dangerous and unhealthy. The implication of this is that local government councils are hopelessly dependent on FAAC and VAT, which they do not have control over. Presently, the fall in oil price has adversely affected the federal allocation to all tiers of government. Consequently, this makes the implementation of the development plans of the local government councils vulnerable to such external 'Shocks' as we are experiencing now. Today, most local government councils in Nigeria cannot pay salaries nor embark on any development projects. Other factors include:

- practical interference by other tiers of government (states and federal).
- undue intervention by the elites.
- lack of internal democracy
- state control of local government election.
- over burdening of the system with political hangers - on and political followers.
- shortness of the tenure of council officials
- weak administrative institutions
- election of cronies and political 'pets' as of local government Chairmen
- poor perception of the primary purpose of the local government by the people etc.
- poor capacity building

How To Strengthen The Local Government System

Several scholars have made vital suggestions on how to strengthen the local government system in Nigeria in order to make it more responsible to its stated objectives and philosophy. Some of the suggestions include

Eradication of Corruption

As earlier stated, one of the key factors inhibiting the effectiveness of local government is corruption and lack of accountability. In all tiers of government, in Nigeria, there is need for the anti corruption agencies to investigate and prosecute whoever is found guilty of misappropriation. This is one of the main ways to make the local officials to live above board and be responsive to their stated objectives. Total elimination of corruption in all tiers of government is imperative and crucial if we are to achieve any meaningful strides in development.

There is also a serious need for constitutional amendments of sections which impede the effective operation of the local government. The sections include Section 7 subsection (1); which gave powers to the state government to determine the existence, composition, finance and functions of such councils. The Constitution also gave the States the powers to establish State Independence Electoral Commission and Joint Account Committee (section 63). (3) These sections should be expunged to strengthen the local government system.

Adequate autonomy of local government is very vital for the survival of the local government system. This is because it will allow the chief executives of local government to be accountable to the people instead of state Governors. It will also enhance service delivery.

However, it must be noted that autonomy alone cannot realize the objectives of the local government system. Autonomy does not assure performance of the system. Autonomy must be accompanied by credible elections, internal party democracy, elections of credible and popular individual etc.

Change of Attitude on The part of The Elites

There is this erroneous impression of local government as “father Christmas” who services everybody without due consideration to budgetary provisions. Everybody, especially elites, and “stake holders”, traditional rulers, abuse the privileges allotted to them at the detriment of the local government system. They see the local government as a ‘service center’ for any elite who is in need of money or services. This bad habit must have to stop, or otherwise the system will remain unproductive as it is now. Local government councils have objectives which they should be allowed to carry out. However this parasite syndrome is in all tiers of government in Nigeria and other establishments.

[There is need for transparency and proper auditing of the accounts of the local government councils periodically and effective implementation of audit reports.](#)

Genuine Democracy: According to Leo Moalin, democracy should not be measured in terms of election. For him, democracy implies the existence of public units, the respect of human and minority rights, fair play, decent methods, tolerance and the observance of the rule of the game. He believes that if the local government lacks these indices, then the operational role of local government is contrary to the spirit of democracy, and certainly they defeat the achievement of responsibility, accountability and control.

Increasing the financial base of the local government system: Most often, the statutory allocations to local government are low especially in the five first four months of the year. For instance in February, March, April and May 2010, Isi-Uzo local government council in Enugu State received N42 million, N47million and N54million and N57 million Naira respectively. The monthly emolument of the council at that was N41.5 million Naira only. What does one expect the council to do after payment of monthly salaries and over heads to principal officers and head of department? Thus, there is need for increase in the allocation of local government councils to an average of N80-100 m monthly to enable them make more appreciable impacts in the realization of their objectives.

Reduction in the Federal and State governments intervention: There are some unseen and informal interventions by the higher tiers of government on the operation of the local government. A situation where local government are compelled to fund some federal and state institutions located in the local government councils has added financial burden to the councils as such expenditures are usually not captured in the councils’ budget. These higher tiers of government should adequately fund their respective

agencies located at the local government councils for proper functionality and reduced the burden on the local government council.

Available resources should be used for the purpose they meant and not diverted to serve selfish ends. Resources must be allocated in such a manner as to minimize wastes and leakages and to release enough resources for the capital development projects. Inflation of contracts, over invoicing, kick backs, padding of salaries, ghost workers syndrome and reckless spreading of money in the name of over head should be avoided. There should be accountability, due diligence and due process in the management of public funds. There is also a serious need to improve the capacity building process in the local government.

Political Institutions in a local government should be strengthened to enable them perform their functions optimally. Such institutions include the legislature, the executive and the statutory committees in the councils.

CONCLUSION

The failure of local government to deliver effectively to their communities leads to colossal consequences especially at the local government level. It results to low level of development poverty, misery and hopelessness in the communities and their citizens. The citizens become disillusioned, alienated and apathetic to government and also loss of confidence in the system. Other apparent consequences of such failure include increasing youth engagement in stealing, burglary, kidnapping, robbery, housebreaking and other anti-social activities. The local government system is a critical arm of the polity and should live up to expectation to make the inhabitants of the grassroots have better standard of living.

Finally, the constitutional constraints, which hinder the operations of the local government should be amended without further delay to extricate local government from strangulation in the hands of higher tiers of government.

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