CONTENDING ISSUES IN LOCAL GOVERNMENT CONTROL: THE WAY FORWARD

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ABSTRACT
The need to ensure the provision of public goods and harmonization of local objectives necessitated
the establishment of the local government system in Nigeria. However, this institution has been
confronted by unjustified meddlesomeness by the state governments in the name of control. The
paper recommends that a system which permits the electorate to recall the chairman and/or
councillors on conditions of non-accountability should be introduced to ensure control devoid of
political witch hunting.

KEYWORDS: Local government, state governments, control, local government chairman, councillors.

INTRODUCTION
To some extent it is true to say that Nigeria is a country engaged in too many experiments over the
structuring of the Local Government System. In the Southern part of the country we have over the
years used tiers ranging from one to three while in the Northern areas the structure has centered on
the emirate and its sub-divisions. Immediately after the Colonial Administration that ended in 1960.
The nation witnessed for the first time a Uniform System of Local Government Administration for
the whole country in 1976. As the structures had varied, so had the allocations of functions to the
local governments and their functioning as well as effectiveness. It might be remarked that in the
period 1971 to the early part of 1976, the three Eastern States of the Nigerian (East Central, South
Eastern and Rivers State) structured their local governments deliberately after the manner of the
French system. The Midwest state later borrowed a leaf from the Eastern States. A study of the
rationale of the type of local government set up by these states revealed that the basic motivation
was a desire to whittle down the autonomy of the local government, and this solve the problem of
the abuse of power of those in authority.

According to Awa (1979), the term Local Government refers to a political authority set up by a
national or state as a subordinate authority for the purpose of dispersing or decentralizing political
power. The act of decentralizing power to him may take the form of de-concentration or devolution of powers and authority. De-concentration involves delegation of authority to field units of the same department and devolution on the other hand refers to a transfer of authority to who represents the government as is done in France under what is called “Prefects”. In Russia Local Governments constitute part of complex governmental agencies whose main purpose is to serve as an economic planning unit? In Communist China the Local Government is more elaborately structured and plays a somewhat different role.

However, there has been general dissatisfaction with the performances of the government and consequently the search for new structures has continued. The dependence of local government councils on allocation of funds from the central government is something to worry about and research had sought to undertake measures that will result to total independence through restructuring.

In Nigeria, with over 170 million populations, the local government are operated with a laize-affair system. It seems that part of the problem which confronts experts in L.G.A Administration is inadequate attention to the meaning of the term Local Government as well as the theories relevant for the management of local government system in Nigeria. It seems that the country’s difficulties will be greatly minimized if we come to bear in mind that theory of Local Government, evolved with it a strict operational definition of the concept and thus indicate which theory can be observed and what characteristics this concept would be.

LOCAL GOVERNMENT ADMINISTRATION SYSTEM

In carving up a country for the purpose of local government, attention must be paid to three basic issues, namely, (1) the locality principle, (2) the autonomy question and (3) the question of the viability of the system.

THE LOCALITY PRINCIPLE

Of all the factors which should be taken into account in the determination of the units of local governments, the following stand out pre-eminently: sociological considerations, territorial delimitation, the desire of the people and economic viability. All these factors are related to what is referred to as the locality principle.

(a) SOCIOLOGICAL CONSIDERATION

The most important factor in determining locality is the concept of community. The term community may be defined as a social system encompassing a territorial unit within which members carry on most of their everyday activities necessary in meeting common needs.
The people within such a social system are bound by historical and cultural ties which induce in them a sense of belonging together. Evidence of common cultural bonds may be found in the use of dialect, inheritance system, common ancestral descent, common subsystems such as titled societies etc. For instance, the people of Ohafia, Abiriba, Abam and Nkpor have many cultural ties including the special custom of bilineal inheritance. One may ask whether all these people regard themselves as members of one community. Though they recognize that they have many things in common but it has never been easy to organize all of them into one unit of local government. Attempts which were made in the past along these lines proved abortive. For one thing the Abam and Ohafia people have a common ancestral origin but the people of Abiriba and Nkpor have a different origin. For another thing, Abam is separated from Ohafia by a distance of more than ten miles and the people have developed differently in some important respects. It should be noted that where an urban centre is concerned, the cultural bond is not important in determining locality. But if some rural areas are merged with an urban centre to form a unit, there are likely to be difficulties in the acceptability of such a unit because of distance which is considered below and the cultural mix which militates against the sense of belonging together.

As from the early 1950’s, the regional/state governments in southern Nigeria have devoted considerable energy, trying to decide what can be considered an optimum size of the local government unit. When the town or village was used as the lowest unit in the eastern states in the early 1970’s, it was found that this unit met with high acceptability because it satisfied the sociological demands and those of viability.

(b) DESIRE OF THE PEOPLE

Closely associated with the idea of community is the desire of the people to live together in one local government unit. In the former East Central State for instance, the edict establishing the local governments, stipulated that towns or villages were to be used as the basic units but that if a number of related towns or villages wishes to be constituted into a single unit or if some such towns/villages had over the years formed single units and desired to continue the relationship, they would constitute one unit. Local governments achieved far less successes where such multiple units were used than where individual towns/villages constituted the units.

One of the difficulties involved in using desire of the people as a measure of their willingness to share a local government unit is how to determine whose desire should be taken note of. What actually happened was that the desire of people of various towns/villages to share multiple – units was taken for granted. But it is seems clear that as the populations of town and villages increased and as the pace of development accelerated, the component members of the multiple unit systems
grew increasingly restive and hesitant in their support for the units. Because of the impact of similar forces, i.e. growth of population and acceleration in the pace of development, segments of some emirates in the north were set up as separate local government under the 1976 local government reforms.

(c) TERRITORIAL DELIMITATION

As we have noted above, if people who have a common ancestry are separated by a long distance in space, they tend to lose a sense of belonging together as a community. Distance then is important in determining locality. But distance must be discussed in terms of space and time. For instance, people in the rural areas are concerned about how much space they must cover in going to the headquarters of their local government to transact some business. They are equally concerned about the amount of time taken to do so. Councillors need to be able to travel to meetings and return to their homes later the same day in reasonably good conditions. If access roads are poorly developed thereby making people to wade through water on cross a precarious bridge, it will be quite difficult for the people to accept the headquarters area as part of their local government. As a result, their interest will wane and the attendance of meetings will drop to rather low levels. These problems will come to the fore when we are considering the limits of a local government system. If the basic unit of a local government system is the town or village, the problems posed by distance will be minimal. If the basic unit is the multiple unit type, then the problem of distance will arise and must be taken into consideration in deciding how many towns/villages, other things being equal, may be included in one unit. When we consider the establishing of an upper tier, then the distance becomes a very important variable. Experience in this country shows that the greater the area covered by an upper tier, the more heterogeneous will be the sociological background of the people and the more difficult it will be for them to regard themselves as people of the same community, however broadly we may interpret the term. But it may well be that in the areas where traditional authority had been centralized as in some northern states, larger areas will receive easier acceptability by the people as upper tiers. This would be so because of the force exerted on the people by the Islamic religion and by the history of their association together over a long period.

In view of all these, it will be deduced that it is not most reasonable to install one uniform system of local government throughout a country that has large and cultural heterogeneity. Nigeria is not in uniform which generates success in local government. Rather, the experience of these countries suggests that if people identify readily with a structure, they can make it work.
AUTONOMY OF LOCAL GOVERNMENT

Another factor that is to be considered in the definition of local government is the question of autonomy. Autonomy refers to the amount of power granted to local governments by the state or a central government. This power is expressed in terms of the functions assigned to them, the extent to which they are allowed to generate revenue by themselves, the source of the other revenues and the supervision of expenditure, the supervision of local; council deliberations by state representatives, the relation of local councils to extra-legal institutions such as the town improvement unions and the traditional authority etc.

Big urban centers are usually assigned enormous responsibilities including the provision of health, educational, sewage disposal, transportation services. Water supplies, road street maintenance, the licensing of some types of commercial activities and fire services may also be assigned to them. In the rural areas it is usually the bigger tiers to which are allocated the big responsibility for the provision of educational, health, agricultural extension and such like services. The lower tiers, that is, the basic units which are smaller in area and population are normally given responsibility for the performance of smaller services. The state government may itself provide some of the expensive services like secondary school educational and general hospitals. The basic point here is that the smaller the local government in terms of fewer the services assigned to them, the smaller the scope of her revenue generating jurisdictions allocated to her by the state.

It follows logically that the larger units of local government are given greater scope to generate revenues. There is usually a wide range of fees or rates which the units are allowed to exploit. It ranges from incomes from industrial enterprises, grants from higher political bodies, community rates and loans constitute other sources of revenue raised.

The method of financing the local government and the type of expenditure control employed by the state or central agency constitute significant sources of the erosion of local government autonomy. For instance, loans beyond a certain limit cannot be raised without the consent of the state government. A higher political body that gives loans or grants to local governments will normally impose conditions to guide the expenditure of the money. A tier of local government that is made precept on another tier comes eventually to be considered a subordinate unit.

Another major source of threat to local government autonomy flows from the structural relations to the state, to the traditional authority and to some social groups. Sometimes we find that a representative of the higher government in the field is given power to oversee the local administration and to veto decisions of the local councils and the elected bodies. This also is a reflection of doubt as to whether the local councils will always take reasonable actions. This itself
emphasizes the point that the councillors may not be the best people in a community. For, it appears that central/federal politics and state politics attract the people with higher calibre and the remnants get into local government politics. From this point of view it can be said that local governments are sociologically subordinate political bodies and it is only reasonable to recognize this in structuring them. But this is not to say, however, that the wisdom of a single state official, who may lack understanding of and sympathy for the needs of the people, should be over-riding in these circumstance. For, his wisdom may be mainly irrelevant and destructive in the situation.

Another aspect of this structural relation to the state refers to the practice of seconding managers/administrators, professionals such as engineers, doctors, agricultural and education officers etc. from the state service to the local government. So long as the remuneration of these officers is paid by the state or central government, the local governments can exert only minimal influence on their behaviour. The difficulty is that some local governments may find themselves unable to pay the salaries and fringe benefits of such officers and they must accept the subordination involved. Of course it is a matter that should be reviewed occasionally and adjustments made to reflect the development taking place in local government. In southern Nigeria, one of the difficulties that had hampered the performance of local governments is the traditional authorities, especially the chiefs and councils of elders. Unable to decide what constitutes the most reasonable form of relationship between the two systems, the central or regional/state governments had set up a new system of local government with two or three tiers extending from countries down to the village level and assigned functions to these tiers accordingly. Usually only minimal functions were allocated to the lowest levels and the normal functions of the maintenance of law and order as well as of doing minor public works were not specifically denied the top traditional authorities. As these latter authorities continued to perform these types of functions, the lowest local councils found themselves deprived of jobs. In the northern areas the position of the councils was somewhat improved by the use of structures known as chief-in-council. By bringing the two authorities together in these ways, these structures tended to reduce conflicts between them and to avoid too much subordination of the councils to the traditional authorities. It should be noted that so long as Chiefs are recognized and provided for or, at any rate, so long as they are not specifically prevented from functioning, their actions will interfere with the autonomy of local councils.

The local government structures such as age groups and town improvements unions contribute to the performance of the local government. In many parts of Southern Nigeria but especially in the eastern states, these institutions are the primary sources for the raising of revenue for the
development of the rural areas. If these institutions are not linked originally in formal manner to the local government, then they will raise money and spend it on any projects of their desire and according to their own values and priorities and no local council can control them or their activities. Generally speaking, the funds made available to local government by the state/central government in Nigeria are woefully inadequate compared to the services they should render to the people. Because of this, town unions and other community based organizations impose levies on the people and, as we have pointed out above, use the money to provide what they consider necessary amenities for such communities concerned. It will also show that the people make contributions with a high degree of enthusiasm toward the building of schools, hospitals etc. but as the incidence of the levies begins to tell quite adversely on their financial conditions, the low income groups begin to resist further contributions towards the maintenance of these facilities. While community efforts should not be discouraged, they should not be the primary source of developing funds in the local areas. At any rate, such development levies should not be imposed directly or indirectly on the low-income groups: rich men and women should make their donations in a manner and circumstance which do not force the low-income groups to pay up sums beyond their ability to dispense with just because they desire to keep up appearance.

VIABILITY OF LOCAL GOVERNMENT

The basic question in local government is the problem of the ability of the units to provide for the people the services which are needed to meet the demands for food, shelter, clothing, knowledge and for good health. This is often referred to as the viability question. Viability is not an easy concept to deal with, for it has several dimensions such as population, geographical size, the state of the development of the infrastructures, the financial ability of the units, the loyalty of the people to the units and the interpretation of the concept of development to include the improvement of agricultural production as well as the establishment of small-scale industries. Each of these variables is in turn related in some degree to others and thus we have a network of interrelationships. When, for instance, we talk about the size of the units, we refer to the density of the population of an area as well as to its territorial dimensions. This in turn is related to the concept of community. If the people of a town/village are tied by blood, culture or history, they are likely to consider themselves members of the same community and will be prepared to accept the classification of their area as a tier of a local government system. If people who are linked together by these same forces are scattered over a fairly large geographical area and built into several towns without a satisfactory network of roads, they may not readily consider themselves members of the same community.
If a town or village is large in population but the average per capital income of the people is low, then as a tier in a local government system, it may be unable to perform the function assigned to it. Low per capital income may itself be as a result of retarded educational development of a town/village.

Disloyalty to the system or more appropriately, rejection of a local government or of some units of it, may flow from the presence of a caste system, the impositions of a system from above or the refusal of the state government to give legal accommodation to the traditional institutions or new social formations which are important change agents or the decision of the state to include elements which are unacceptable to the people. If people have rejected a local government system or have only a lukewarm feeling towards the units, then they will not readily meet the financial requirements of the units. In that case both population size and wealth of the unit will not lead to the generation of adequate funds. If the traditional concept of local administration is adopted, that is, if local government is concerned mainly with the maintenance of law and order as well as the building of roads etc., and no attention is given to the question of improving agriculture and the establishment of agro-based industries, then local government cannot lead to any significant improvement in the lives of the masses.

OBJECTIVES OF LOCAL GOVERNMENT

The main objectives of local government are as follows:

(a) Most of the people in any country live in the localities and local government is a device used for ministering to the needs of these people.

(b) This ministration involves, among other things, the eradication of poverty, ignorance, disease, squalor etc. as well as procuring for the people opportunities for self-reliance and reasonable independence of the higher levels of government.

(c) In practical terms it involves the transformation of Agriculture, the establishment of light industries and infrastructures water, electricity, hospitals, schools, recreation centres etc. and the employment of administrative structure and financial measurers which can lead to the realization of these goals.

LOCAL GOVERNMENT MODELS

Some models of local government can be applied to various areas where they are considered appropriate. The following are the basic models whose use can be quite fruitful in many contexts, especially in Nigeria.
(1) THE SINGLE TIER SYSTEM

Communities in the rural areas which are centralized in nature, i.e. have homogenous cultural groups extending over fairly large territories where these people recognize themselves as members of the same community, can be used as units of local government. This area is equivalent to ‘a division’ as it is being referred to in Nigeria in the recent past. Terms such as district or country may also be considered equivalents. A single tier device can be established for such areas as they possess the potentialities or taking on successfully major local government functions such as the ownership and operation of light industries and the other functions already mentioned. Small and medium urban centres can also be constituted into single tiers if they are large enough to meet the requirements of area and the implied population.

(2) MULTIPLE TIER SYSTEM

In rural areas of the non-centralized type and in large cities like Lagos, the viability question suggests that there must be another unit around which we can easily find a convergence of the various factors which foster development and effective administration. It suggests the need to set up a tier higher than the core unit for the handling of services which are too expensive for the core units to manage by themselves but which they are prepared to finance in collaboration with other core units. One should remark that a three-tier system should be avoided as much as possible. For, in this kind of system, the lowest unit is often given inconsequential functions and the highest tier made too large and practically unmanageable.

THE PROBLEM OF CONTROL

If local governments are given a degree of autonomy requisite of their role in the socio-political system, there will of course, arise the question of the degree and nature of control to be exerted over them so that they do not become irresponsible in their operations and expenditure habits. The first question to be discussed here is the broad nature of financing the local governments. In the two-tier system, we think that all statutory allocations should be made to the larger tier which should share the amounts among the component units on the basis of population and need (which is a reflection of the degree of development of an area). Need must be determined on the basis of facilities essential for education, health services, water supply, roads, agricultural development etc. the method of allocating a certain percentage of the funds equally to all units is arbitrary and inequitable for it does not give weight to the degree of development already attained and to the needs that are yet to be met. Even in the single tier areas there is a need to subdivide funds among subunits and this principle of need should predominate. All tiers should develop their own mechanisms for expenditure control and internal auditing.
Higher governmental levels which give special grants to local government should spell out the conditions under which the grants should be used. In all cases state auditors should serve as external auditors to local governments.

People who infringe laws should be punished according to the terms of the law. But where the problem of maladministration has occurred, it should be determined on whether it is the state government that should dissolve the council.

**CONCLUSION**

Local government was set as an autonomous legal entity to address the immediate needs of the populace at the grass root. However, this tier of government has been confronted by nominal autonomy in recent times considering the powers of the state government to determine the continuous existence of the body.

This mechanism can be used as a capricious weapon by politicians to disorganize a local government that shows allegiance to a different political party. It is therefore recommended that a system of recall that enables the electorate to recall the chairman and/or councillors on conditions of non-accountability would be effective in ensuring control. In that case, a petition signed by a certain percentage of the electorate should would be enough to affect a recall of the offending members.

The need to ensure the provision of public goods and harmonization of local objectives necessitated the establishment of the local government system in Nigeria. However, this institution has been confronted by unjustified meddlesomeness by the state governments in the name of control. The paper recommends that a system which permits the electorate to recall the chairman and/or councillors on conditions of non-accountability should be introduced to ensure control.
REFERENCES


