LOCAL GOVERNMENT AUTONOMY IN NIGERIA: STRUCTURAL AND INSTITUTIONAL INNOVATIONS

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Abstract

Local government involves a philosophical commitment to the idea of democratic participation in the governing process at the grassroot level. This implies legal and administrative decentralization of authority and power by a higher level of government to a lower community with a will of its own performing specific functions as within the national framework. This paper examines these roles in Nigeria with particular emphasis on autonomy, structure and institutional innovations. The methodology adopted here is the content analysis of existing literature on local government and administration in Nigeria. It discusses among others the 1976 local government reforms which were necessitated to bring about development at the grassroot level and to revamp the ailing local government system as it were. The creation of more local governments was a bold step by the then military administration to achieve this developmental stance and to ensure popular participation. The paper concludes that local government in Nigeria has a crucial role to play in the development process provided there is result-oriented management with a guaranteed operational authority supported by effective local participation.

Local Government in Nigeria is presently known as the third tier of government and a political sub-division of a nation or state which has the responsibility of bringing development to the people at the grassroots (Ola, 1984:7). This level of government was established by law as an entity and a unit of the federal system of government to perform specific functions which in essence, enable the council to exercise powers with certain level of autonomy for the smooth running of the institution for the benefit of the people at the grassroot. All these became possible as a result of the bold step taken by the military government in 1975/1976 to reform the
local government institution. This measure was taken in order to avoid the erosion of functions and finances at that level of governance in Nigeria. Local governments in Nigeria were established to perform some salient functions. These include those functions which require detailed local knowledge for efficient performance, and functions in which success depends on community responsiveness and participation. Other functions for which the local governments were created are functions which are of a personal nature requiring provision affecting individual lives in a given society (Aibieyi, 2008:116). The 1999 Constitution clearly demonstrated the transparent commitment of the federal government to the survival of local institution as the true third-tier of the Nigerian political arrangement. This paper therefore focuses on the 1976 local government reforms and the role of the military government in this direction. It also discusses the rationale for the creation of local governments, election into local government councils, local government autonomy, structural and institutional innovations in Nigeria.

Local Government Reforms

The local government reforms of 1976 have been described as a landmark in the history of local government in Nigeria. The reforms were informed by the objective consideration of the Udoji Commission Report of 1974. The Commission was concerned with all the public services of Nigeria including the local government. It recommended among others that –

1. The country should adopt the single-tier system of local government;
2. every state should set up a committee to review the financial and functional relationship that should exist between the state and its local governments;
3. research and development units should be set up to assist local government,
4. councils in the rural areas should be elected through electoral college process while direct method of election should be used in the urban areas;
5. local councils should be responsible for policy-making while the executive secretary should be responsible for the day-to-day administrative functions;
6. recognition should be given to the administrative functions of the traditional rulers and
7. grants should be made available to local governments for the operating expenses on quarterly basis (FGN, 1974).

The regime was greatly concerned with the decreasing importance and erosion of the power of local governments, their financial incapability, inadequate staff, etc. The reform was therefore aimed at correcting these inadequacies so as to enable local governments take their rightful place in the socio-political development of the country. The reforms introduced what may be described as a national system of local government. The guidelines to local government reforms actually can be seen as a local chapter granted by the federal military government to all the local government areas in the country (FGN, 1976).

The fundamental areas that the 1976 local government reforms deal with can be summarized as – the functions of local government, the structure of local government, the financial resources of local government; the place of traditional rulers in the local
Local Government Autonomy

Local government autonomy refers to freedom in terms of functions and financial management at the grassroot level. It means the power to manage its affairs locally and make provision for services. The local government and sources of revenue for its operations include federal allocation and internal revenue generation (Aibieye, 2005:74-81). It has been made clear by the Political Bureau Committee that the relationship which exists between state and local government is a superordinate/subordinate relationship. This is inevitable because of the power of control/supervision which state governments have over local governments. A much more positive relationship is necessary and this is dependent on the evolution of mutually reinforcing relations. State governments should therefore be able to provide guidance, support and encouragement to local governments in the delivery of service (Olagunju, 1987:91).

The Babangida’s government accepted the Bureau’s recommendations for local government fiscal autonomy and relaxed state control over local government finances. Thus, on Independence Day in 1988, President Babangida announced that local government councils would henceforth receive their revenue allocations directly from the Federation Account. In order to safeguard this measure after the departure of the military from the political scene, it was enshrined in the 1989 Constitution (160(4)) that “any amount outstanding to the credit of local governments in the Federation Account shall be allocated directly to the local government concerned”. It was further pledged by the Babangida’s administration that the Revenue and Fiscal Mobilization Commission and the Office of the Accountant-General of the Federation would ensure that local governments receive their periodic statutory financial allocation directly from the Federation Account (Joda, 2002:51).

In strengthening local government autonomy, the government commitment to the cause of local government autonomy was demonstrated by the Babangida administration when it was announced that the share of local governments from the Federation Account was increased from 10% to 15% in 1991 and then to 20% at the expense of the state government. Additionally, states were required, with effect from July, 1988, to contribute 10% of their internally generated revenue into the coffers of local governments failing which money would be deducted at source from the state
allocation from the Federation Account (Olagunju, 1987:101). The abolition of the Ministry of Local Government at the state level was announced in 1988. As a result, it was instructed that state governments should establish the Department of Local Governments in the State Governors’ offices to replace the Ministry of Local Governments in order to assist, advise and guide but not control local governments in the performance of their constitutional functions. State governments were therefore, required to hand-off all the local government functions listed in Part 1 of the Fourth Schedule of the Constitution.

Structural and Institutional Innovations

The need to adjust local government to the role envisaged for its structural adaptations and institutional innovations or reforms is paramount. In achieving this, the government set up a 21-member Technical Committee, headed by Professor Humphrey Nwosu, on the application of the civil service reforms to the local government service. The following recommendations were made by the Committee and were accepted by government.

1. The Local Government Chairman should be the chief executive and accounting officer of his council. In this sense, he is accountable both while in and out of office like the minister and commissioner in the federal and state governments.
2. The Vice-Chairman and Supervisory Councillors should become political heads of their respective departments, members of the Finance and General Purposes Committee, and in that position constitute the local government cabinet.
3. The Secretary to the council should remain a career officer with tenure of office, working conditions and functions as provided in the local government employees service scheme; he should remain also the head of service of the council and chief administrative adviser to the local government and to the Finance and General Purposes Committee. Moreover, he should remain a signatory to the council accounts.
4. Retention of the dual local government service, in which officers from grade level 07 and above are to be recruited, promoted and disciplined and generally under the Local Government Service Commission while the other staffs are under the council.
5. Councils should not have more than four other departments in addition to Personnel Management, Finance, Supplies, Planning and Research and Statistics.
6. Emphasis should be on specialization and advancement to the top through hard work, while concrete measurable performance should determine rewards and sanctions.
7. Establishment of a junior staff management committee (under the chairmanship of the Head of Personnel Management) to determine personnel matters of council employees between levels 01-06.
8. Creation of a Local Government Department in each state Governor’s Office, responsible for accounting codes and procedure, training, financial memoranda and guidelines and circulars issued from the Governor’s Office.

9. Appointment of a qualified accountant as a council’s internal auditor with functions similar to the Auditor-General in the federal and state governments.

10. Creation of Audit Alarm Committee to perform identifications as those at other levels (FGN, 1988).

The new system was introduced in February, 1991 and elaborated in May 1991 by decree No. 23 of 1991. It provided for a legislature at the local government level, known as the ‘local government council’. The legislature was to be presided over by the Leader and Deputy Leader with powers parallel to the Speaker and Deputy Speaker of a State House of Assembly. The executive (Chairman, Supervisors and Secretary) was referred to as the ‘Local Government’. As at other tier, the guidelines provided for separation of powers between the executive and the legislature. The local government council performed roles corresponding to those performed by the legislature at higher levels of government. Similarly, local government performed functions parallel to those of the cabinet at other tiers of government (Odenigwe, 1988:41).

The structure and the orientation established by the Babangida’s regime promised to take local government to ‘a new Canaan’ with democratic values and orientations. But this was not allowed to take full effect as the 1999 Constitution introduced ambiguity and contradictions in the control and running of local councils. For example, section 7(1) of the 1999 Constitution states that:

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\text{the system of local government by democratically elected local councils is under this Constitution guaranteed, and accordingly, the government of every state shall subject to section 8 of the Constitution, ensure their existence under a law which provide for the establishment, structure, composition, finance and functions of such councils. Similarly, section 7(6a) provides that “the National Assembly shall make provision for statutory allocation of public revenue of local councils in the federation. And section (7(6b) compounds the confusion by stating that “House of Assembly of a State shall make provisions for statutory allocation of public revenue to local councils, within the state”.
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In addition, section 8(5 and 6) empowers the National Assembly to legislate on new councils before they can become legal. With the State Government, State House of Assembly and the National Assembly all having roles to play in the affairs of local council, it is not surprising that the confusion, intrigues and non-performance of most of the local councils have been the lot of governance at the grassroots levels, hence the need for further reforms (Iyang, 2002:19).

**Conclusion**

The foregoing analysis indicates the important role of the various local government reforms that have taken place in Nigeria towards the establishment of a stabilized system of local government. The 1976 local government reforms is an important turning point in the political structure of Nigeria. The reform was national in...
outlook and far reaching in its recommendations. Other reforms package put up by various administrations have also contributed their positive quota to the development of the local government system in Nigeria.

It has been noted that through the creation of additional local governments and structural arrangement, it has given opportunities for people at the grassroots level to participate in political governance. This however has been abused by many elected local government functionaries who see their positions as opportunities to amass wealth at the expense of development. Consequently, corruption has crept into the administration of local government system in Nigeria.

The 1999 Constitution introduced some ambiguity and contradictions in the control and running of the local government. Instead of strengthening the finances of the local government, state governments encroached on their functions and diminished their power and importance. In many instances, local governments have lost their operational autonomy. In spite of the structural and institutional innovations introduced by successive administrations, local government in Nigeria leaves much to be desired.

Local government in Nigeria therefore has a crucial role to play in the developmental process provided there is result-oriented management supported by effective local participation. It will be difficult if not impossible to achieve any meaningful development, a just, disciplined and egalitarian society without a well coordinated and efficient system of administration at the grassroots level. Today, grassroots administration in Nigeria through the instrumentality of local government in terms of autonomy, structural and institutional innovations is a far cry from these ideals!

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