

LOCAL GOVERNMENT REFORMS & DEMOCRATIC DEVELOPMENT IN NIGERIA

CRITICAL PERSPECTIVES



Edited by

Prof Michael Abiodun Oni

Dr Olajumoke Yacob-Haliso

Dr Ngozi Nwogwugwu

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FOREWORD

This book is a compendium of the various papers presented by different scholars from many of the Nigerian Universities at the first International Conference on Politics, Security and Development, held at Babcock University, Ilishan-Remo, between 11-13 October, 2016. The theme of the conference, organised by the Department of Political Science and Public Administration, Veronica Adeleke School of Social Sciences was “Forty Years of Local Government Reforms and Democratic Development in Nigeria: Critical Perspectives”.

The Department appeared to have achieved a land-mark with the organisation as contributors from different disciplines presented papers and brain-stormed on “how to reform” the forty-year old much orchestrated 1976 National Local Government Reform which had started to witness a massive decline. The exercise confirmed that Local Government is an inter/multi-disciplinary area of study, as socialists, both within and outside each of the fields of social sciences, came to present the way forward for the Nigerian Local Government.

The Departmental panel gave a giant lead to guide the conference participants. The main theme was divided into the following sub-themes: Local Government and Community Development; Conflict Management and Resolution at Local Level; Constitution and Legal Framework for Local Government; Comparative and Fiscal Federalism; Media and Local Government Administration; Theoretical and Methodological Issues and Democratic Consolidation; Democracy and Grassroots Governance; Security and Community Policing; Gender and Local Government Administration; Political Leadership and Local Governance; Accountability and Anti-corruption Measures; Comparative Local Government; Local Government and Service Delivery; Problems and Challenges of Local Government Administration; Mobilisation and Revenue Control; Appraisal of Local Government Reform and Its Impacts; and State-Local Government Relations.

Given the above, the various challenges of the Local Government system have been properly diagnosed and suggestions have equally been given with views to having a perspective of relatively lasting solutions. This appears a timely intervention since Local Government is still expected to play an important role in the grassroots development of Nigeria. Currently, it is safe-guarded (at least on paper) by the Nigerian Constitution, as an institution and, in essence, it has its special place in the Nigerian Political System and in the country's democratic structure. However, I want to remind all of us that a sustained development is

not a condition into which a country drifts. We must as responsible citizens, set our minds on it. We cannot speak of sustainable development in Nigeria, without committing ourselves wholly, as a nation, to a virile local government system.

This conference book places in the hands of the academics, politicians and all levels of government and members of the public, a corpus of political knowledge on the Nigerian political system with special emphasis on local government system, in a very convenient form and at an affordable price. The authors of the various papers are hereby commended for their efforts: We thank our lead-paper presenters: Professor Alex Gboyega, Professor Iyabo Olojede, Professor Kunle Awotokun and Dr. Bola Dauda for their meaningful contributions. I appreciate all my hard-working colleagues and all the members of the panel for their worthy contributions towards the planning and the very successful execution of the whole programme.

We are very grateful to all our colleagues from the various departments in Babcock University for their support. Our leaders in the Department-Professor Femi Ajayi, Dr. Olajumoke Yacob-Haliso, and Professor Michael Abiodun Oni- are highly commendable and appreciated. We are very grateful to the Babcock University Management for the support given to our Department. We acknowledge with gratitude, the co-operation given by His Excellency, Chief Olusegun Obasanjo (GCFR) who came personally to deliver the Keynote Address on the opening day of the conference.

Finally, it is our very sincere wish that all the readers of the papers will find them useful as we hope that they will contribute positively to the growth of the body of knowledge concerning the local government system in Nigeria.

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12th June, 2019.

LOCAL GOVERNMENT AND RURAL DEVELOPMENT: A COMPARATIVE APPROACH BETWEEN FRENCH AND NIGERIAN LOCAL GOVERNMENT SYSTEMS

Awotunde Taiye Adewale

Introduction

Globally, local government has become an important aspect of modern political system. The fact that local government has become an important tier of government especially in a federation cannot be over emphasized. The relevance of local government in unitary states has also become noticeable. "In reality, even modern state combine features of both decentralization and centralization. What happens in practice is that each country seeks to maintain a balance, taking into accounts historical, economic, and cultural realities" (Adamolekun, 2005: 51).

The institutions of local government vary from one society to another and the various societies have adopted different names for this important tier of government. Its relevance in the scheme of things had also necessitated the comparison of the various systems. This apart from promoting scholarship will also enable countries to see how they can improve on their own Local Government System

It is not an overstatement that "local government system in Nigeria has been in a state of flux for quite some time now and up till now, it does not appear that a permanent structure has been achieved" (Fajobi, 2010:3). France, on the other hand, has an improved "local authority system over the years. This is to the extent that France, with 36,383 communes has more units of local government than the rest of her common market (EEC) partners put together." (NOUN Course Guide, 2006:146). It suffices to say that local government in France is well organized, notwithstanding the enormous number of units.

Conceptual Clarification

Two concepts that have to be clarified are 'local government' and 'rural development'. The definitions of local government are as varied as scholars. As observed by Awa (2006:72), local government can be seen as "a political authority set up by a nation or state as a subordinate authority for the purpose of dispersing or decentralizing political power. The act of decentralizing power

presence of legitimate force throughout the system while the three characteristics of a political system are comprehensiveness, interdependence and existence of boundary (Misra & Asirvatham, 2011: 815). The existence of boundary implies that it is being delineated from other systems. Interdependence means that the political systems cannot exist alone, it relates with other systems. Comprehensiveness implies a well-organised system that operates through different parts.

The relationship that exists within a system are not between persons but between the roles which the individual adopts or performs (Misra & Asirvatham, 2011). The interactions between the roles are important in order for the system to work well and achieve its goals. It is also important to note that, the political system like any other system operates through input-output mechanism. The input exists in form of demands on the system, like the demand for infrastructure, while the outputs are decisions on these demands, like making of rules and regulations (Misra & Asirvatham, 2011).

Some criticisms have been levelled against the structural-functional theory. Verma, in Misra and Asirvatham (2011:815) opined that, "Like the general systems theory structural-functionalism is also ill-equipped for the study of the phenomenon of power and influence. It provides very little scope for the discussion of goals and objectives and is equally inadequate for policy studies." As could be observed, a well-organised establishment has goals for which it was created and which it pursues.

The theory is also a static system of analysis in the sense that it seems to justify the status quo, that is, the existing system (Misra & Asirvatham, 2011). The theory, therefore, has not considered the fact that organisations are dynamic in nature. This dynamism is reinforced by globalisation and new discoveries brought about by science and technology. The theory is relevant to local government administration in the sense that local councils, especially in Nigeria are statutorily created. They have established functions to be carried out in line with laws that created them. The local councils receive inputs in form of demand from the populace. This, it processes into outputs, which can be informed of laws and policies.

Structure and Historical Developments of Local Government Administration on France

Just like most developing countries of today, France developed as a peasant, rural society and has undergone many reforms to become one of the wealthiest nations of the world (Schain, 2005:209). France, as one of the oldest nations of Europe has witnessed revolutions, which began with the establishment of constitutional Monarchy in 1796. "The Fourth Republic (1946 - 1958) disappointed earlier hopes, as governments fall with disturbing regularity - 24 governments in 12 years" (Schain, 2005:208). The fifth republic, however, provided a ray of hope as President de Gaulle was elected the President in 1958 because of the political transformation of the country during the period.

The constitution of the fifth republic provides for a dual executive system. This implies that there would be a president who would function as an executive President, while another official of government, (the Prime Minister) would function as head of government. This is what Heady (2001:193), described as a mixed Presidential/Parliamentary System. The President is to initiate policies, while the Prime Minister is to implement them. As noted by Eneanya (2010:148-149), the French president is far from being a figure head, as he has the power to choose a Prime Minister and appointed ministers can even dismiss the Prime Minister.

The 1999 Constitution of Nigeria (As amended) stipulates that, the country is to have an Executive President, who would be elected for a four-year term in the first instance and would be assisted by a Vice-President. Unlike in the case of Nigeria where the President is elected for a period of four years, based on the simple majority system of voting, the French President is elected for a five-year term based on absolute majority system of voting.

The French administrative machinery is the Bureaucracy, which has functioned consistently in line with the centralised system of administration. "This bureaucracy has been effective in many ways in governing even in the face of the instability of governments during the third and fourth republic respectively, and in the face of large scale economic and social change" (Enanya, 2010:87). The French also has a bureaucracy organised in such a way that the administrative super elite, which is known as the grand's corps can take some time off their administrative jobs, to take part in politics or business and return later to their administrative jobs (Heady, 2001). From the above discussion, it would thus be seen that France has a unique political and

administrative system, that impact on subnational government.

Historical Development of Nigeria and Its Local Government Structure

In this discussion, it is imperative to mention that what we have in Nigeria today is a metamorphosis of different ethnic groups with different historical backgrounds cultural and linguistic differences. The political set up for each ethnic group was also different. However, it would be realized that in spite of their differences the ethnic groups exhibited some similarities. For instance, a large number of ethnic groups in the south west of Nigeria traced their origin to Ile-Ife and regard Oduduwa as their Father. It suffices to say that some other African states also exhibit these characteristics.

With the Berlin conference of 1885, Nigeria was allocated to Britain and Britain consolidated its hold on Nigeria and its other territories by entering into treaties and special arrangement with the local chiefs and kings (Irukwa, 2005). Well-organised governments existed at the local level prior to the period of colonialism. The pre-colonial system was such that the traditional rulers were in charge of governance. With laid down rules, regulations, and appropriate sanctions in case of default. With the advent of colonialism, there was introduction of the indirect rule system "whereby such governments were being run through the traditional rulers, the chiefs or the warrant chiefs. After these there had been series of reforms in the Nigerian Local Government System." (Fajobi, 2010:5). A major reform carried out was the 1976 Local Government Reform, under the Murtala/Obasanjo's military regime.

With the 1976 local government reform in place, local governments in Nigeria virtually have a common administrative structure. The reform provided for a multi-purpose single tier local government system and by this brought uniformity to the system hitherto characterised by unwieldy administrative system (NOUN Course Guide, 2006). The reform also made provision for elected chairpersons and four supervisory councillors for each local council that would serve as the executive cabinet of the council and having specific portfolio for instance, supervisory councillor for Education (NOUN Course Guide, 2006). The extant hierarchical structure is such that political office holders within the local government have under them civil servants that help to implement policies within the local government council. These are the Secretary, Director of Medical Services, Director of Works.

**LOCAL GOVERNMENT AND RURAL DEVELOPMENT:
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Table : Numerical Growth of Local Government in Nigeria since Independence

Years	Regions/State	Local Government
1960	3 regions	
1963	4 regions	
1967	12 states	
1970	12 states	299
1978	19 states	299
1979	19 states	301
1981	19 states	301 (*480)
1984	19 states	301
1987	21 states	499
1991	30 states	589
1997	36 states	774

Source: Bello-Imam (2010, p. 240)

As pointed out by Bello-Imam (2010:240), the aesthetical number of local government was created in 1981 and was abolished in 1984 by the military government in the country as at then. The table shows that initially in Nigeria, there were no local governments but right from 1970 local governments were created. The number rose to 774 in 1997, with this number being provided by the 1999 constitution.

Local Government and Rural Development

While the contributions of local government to the political and socio-economic development of an area cannot be overemphasized, it can be attributed to some reasons.

In the first place, it is the closet to the people at the grass-root. The need for local government has been realized by both developed and developing countries of the world. This is because it provides the basis for democratic development (Fajobi, 2010). It was in view of this that Chief Obafemi Awolowo

opined, "Local Government performs dual purpose that is the foundation for both state and federal governments to rest upon. It is the level of government that touches directly at people at the grass root level." (Fajobi, 2010: 11). The implication of this is that the absence of local government will make government and development to be far from the people at the grass roots.

Secondly, local governments enhance rural development by encouraging community development, intra and intercommunity relations. The various communities carry out self-help projects based on the realisation that government cannot do it alone. "In such circumstances, many communities looking inward, were able to organize themselves and mobilize for infrastructural facilities and amenities such as roads, markets, schools, health centres, town halls and mass transit services" (Ejionye, 1995: 243). In addition, local government can generate its own revenue internally and it can go a long way to promote rural development if what is generated is used judiciously. These can be in form of rate, and miscellaneous revenue derived from hospitals, forest receipts, land registration, marriage, car parks etc (Eneanya 2012).

Comparison of the Nigerian Local Government System with that of the French

Since the system of local government varies from one society to another, it becomes imperative to compare the Nigeria Local Government system with that of the French. In the Nigerian federal system, there is the recognition of local government as the third tier of government by the 1979 and 1999 constitutions respectively. This means they have independent existence. In the French system, local governments are regarded as the local arm of the central government. Under this system, the local councils are given important powers and duties which they exercise through their principal officer, the Mayor" (Awa, 2006:73). The implication of this is that they exist at the margin of the central government.

One of the ways in which a local government promotes rural development in Nigeria is the provision and maintenance of health services. Local governments are responsible for primary health care within the local government areas (Fajobi, 2012). The Nigerian local government system has provided for a single-tier local government system, whereby a local government council with its officials, will be performing the functions of local

government within the council area. The council will be structured in such a way that it will have department of general service and education, department of finance and fire operation departments (Fajobi, 2010).

In the case of the France, different officials are in charge of the functions of local government. For instance, the Mayor, for instance, promulgates and ensures implementation of laws, regulations and circular sent from Paris. The Mayor also registers births, deaths and marriages, among others. District local units are in charge of housing services and firefighting services (NOUN Course Guide, 2006). "An administrative officer called the prefect heads each division. The prefect is subordinate to the administrative leadership of the Ministry of Interior in Paris. The prefect is responsible for coordinating the activities of all ministries within his division. The prefectural system facilitates coordination and ensures that the political control of the central government is maintained throughout the country" (Alonge, 2005:244). This enhances socio-political and administrative development of the local councils. In France, communes are provided for as the smallest unit of local administration. (<http://buyahouseinfrance.info/franceregionshistory.html>). "Most communes are villages or hamlets, within the country though some are large towns. Each commune has its own democratically-elected Marie and council". (<http://buyahouseinfrance.info/franceregionshistory.html>). The commune, its Marie and council render local government services and provide amenities. The Marie can allocate funds towards projects he deemed of priority (<http://buyahouseinfrance.info/franceregionshistory.html>). This system ensures grassroots development, in the sense that since they prepare and approve their own budget, projects can be tailored towards the needs of the people and executed in their interest. Local administration at the level of the village or hamlet does not exist in Nigeria. Each Local Government Council has its own headquarters that renders services to a number of towns and villages under it, as stipulated by the 1999 constitution.

In the French system, the functions of local government cannot be completely listed out, as different tiers of local government are carrying these out. This is unlike what obtains in Nigeria where one can point to a particular section of the constitution, (Fourth schedule) that listed out the functions of local government councils (NOUN Course Guide, 2006). Moreover, in France, the functions of local units of administration are growing daily "as a result of population explosion, rapid industrialization and urbanization of France with

the corresponding growing demand for social services” (NOUN Course Guide, 2006:767). In Nigeria, many of the functions of local government have been taken over by the state and federal governments. This is in their bid to generate revenue. For instance, in Kwara State, the state government through the Bureau of lands issues certificates of occupancy, while stalls are being built in different local government areas.

Another area of difference between the Nigerian and French system of Local Administration is in the area of financial autonomy. Local government councils in Nigeria are supposed to enjoy some measure of independence financially. In fact, “the prevailing federal government revenue allocation formula stipulates that local government is entitled to twenty percent of the revenue accruable to the federal government and ten percent of the internally generated revenue of the state government” (Bello-Imam, 2010: 11). Interestingly, a large part of the federal allocation to local government is usually taken over by the states every month while the stipulated ten percent from the states' internally generated Revenue for the local government is not given to them. This no doubt erodes financial autonomy of the local governments' joint account system and stifles rural development. In Nigeria, local government financial autonomy is further affected by the fact that local councils cannot borrow money from the banking system or raise capital from the capital market without the approval of the state government. This is contrary to the situation in other countries (Ani *et al*, 2010).

Under the French system, this is not the case as the councils enjoy some measure of financial autonomy. The March 1982 reform law has made several pro-active changes in terms of finance and control. It states that, “any transfer of state competence to local authority must be accompanied by a transfer of resources (chiefly fiscal) ... The reform also extended the responsibilities of the communal, department and regional accountant giving them the status of chief accountants, directly responsible to the treasury” (Swift & Kervella, 2016:3). Corruption is a major problem affecting the functioning of local governments in Nigeria. As observed by (Eneanya, 2012:27) “Financial resources earmarked for economic development are misappropriated or embezzled and disappear under the coffers of unscrupulous politicians”. In the case of the French, however, like in most developed countries, acts of corruption are not allowed and if engaged in by a public official and it is discovered, it attracts severe sanctions.

During the Obasanjo's regime (1999-2007), many unconstitutional acts were perpetrated by the Federal Government against the local government councils. This was seen as "executive rascality" by Osaghae (2005:343). As further observed by Osaghae (2005:343) "the catalogue of "executive rascality" is wide in scope and ranged from the President's unilateral decision to stop statutory allocation of revenues due to local government to states that conducted elections in local government areas newly-created by the states and the threat to stop local government allocation to states that do not operate joint state-local government accounts, to dissolution and threats of dissolution of elected councils by State Governors to suit their individual and constitutive party interests." Such "executive rascality" does not exist in a country like France.

Lastly, there exist differences in terms of political systems of the two Countries. The French political system is such that, there is provision for separation of powers among the three arms of government though, in reality what exist is fusion of powers. For instance, "the Prime Minister who is the leader of the cabinet belongs to both the executive and legislative arms of government". (Bello-Imam, 2005:7). In the Nigerian Political System, there is clear separation of powers between the three arms of government as provided for by the 1999 constitution. Bello-Imam (2005) opined that, separation of powers among the three arms of government is necessary in order to maintain personal liberty and integrity, while fusion of powers is indispensable in order to promote harmony and good governance. There is no doubting the fact that, for efficiency to exist in governance there must be in existence elements of separation of powers and fusion of powers.

A comparison of the Nigerian and French local government system will not be complete without considering the similarities between both systems. The similarities are as follows: It is noteworthy that both the French and Nigerian Local governments perform functions that are stipulated for them by law. For example, the fourth schedule of the 1999 Constitution in Nigeria stipulates the functions of local governments in Nigeria. The functions in both countries concern such areas as collection of taxes, levies and rates, provision of infrastructural facilities and law making. These are meant to enhance rural development. Moreover, the Nigerian 1999 constitution provides for the election of the chairperson of a local government and councillors. In France, political office holders at the local government levels, like the Mayors are also to be elected. The election of the councillors, Maries and Mayor as the case may

be is to help ensure accountability of the leaders, it will also promote democracy.

Furthermore, both Nigeria and French systems promote decentralisation. Adamolekun (2005:49) observed that Nigeria is an example of a country practising decentralisation. Though, decentralisation in French system is a recent phenomenon, "it has profoundly altered Local Government in France ... Decentralisation is helping to ensure that tasks are carried out at the most appropriate level of responsibility in all sectors of public life, so bringing greater democracy to the country's administration and management" (Swift & Kervella, 2016:3).

Lastly, political systems in Nigeria and France provide for a system of checks and balances in the operation of the institutions of government. In France, the judiciary and the legislature can check the excesses of the President to forestall autocracy. Precisely, the President can be indicted by the legislature. (Bello-Imam, 2005). In Nigeria, the President can veto bills from the legislature, while actions of both the executive and the legislative can be declared ultra-vires by the judiciary.

Conclusion and Recommendations

From the foregoing, it would be seen that local governments have important roles to play in rural development, whether in Nigeria or France or in other climes. However, the extent to which they are able to promote rural development depends on the autonomy given them by the central government, resources available and the commitment of the political leaders.

In order for any meaningful development to occur in the rural communities, the following recommendations are hereby made.

- There should be more devolution of powers to the local governments, in both Nigeria and France. This will enhance efficiency of the local authorities as agents of rural development in both countries recently; some eminent Nigerians have also conversed for restructuring of Nigeria in such a way that the Federal Government will exercise lesser authority.
- Undue interference in the affairs of Local government, especially by state governments in Nigeria should be discontinued. This will help to ensure financial autonomy for the local government, which is a key ingredient in rural

development. Since local governments have, an important role to play in rural development more funds should be provided for them. These can be channelled to them directly by the Federal Government.

- Local government officials should be re-orientated in order for them to shun corruption, and embrace hard work and discipline. The chairperson of local government council should demonstrate leadership by example and make integrity his/her watch wards. They should come up with programs that are people-oriented and implement these to the letter. Nigeria can adopt both the functional and the integrated prefectural systems of deconcentrating as a way of making the people at the subnational level to feel the impact of the central government more.

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