

## **Roadblocks to Grassroots Democracy, Good Governance and Development: a Case Study of State and Local Government Councils Relations in Nigeria, 1999-2016**

**<sup>1</sup>Yusufu A. Zoaka, <sup>2</sup>Ogbu Collins & <sup>3</sup>Abundude Omotayo Jacob**

<sup>1,2 & 3</sup>*Department of Political Science and International Relations  
University of Abuja*

*Corresponding Author: Yusufu A. Zoaka*

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### **A b s t r a c t**

**D**evelopment at the Local Government Level globally is enhanced through the freedom enjoyed by officials and citizens at the grassroots level. This independence to choose officials, design and implement policies at the level appears to be a major challenge of the Local Governments in Nigeria, thereby promoting a sense of pseudo democracy which has resulted in the complete neglect of the local government councils. This paper investigates the factors that have constituted the road blocks to democracy, good governance and development in Nigeria. The study used secondary sources of data collection and applied the method of content analysis. The paper used the elitist theory for its theoretical framework. At the end of the study, findings reveal among others, that local governments in majority of the States in Nigeria are under the stranglehold of governors or their agents, such as commissioners of Local government and chieftaincy affairs or under the Local Government Service Commission, the State independent electoral commission (SIEC) or the State joint local government account committees (SJLGA), making it impossible for the local governments to survive as the third tier of government. The paper recommended among others, that the scrapping of state independent electoral commissions nationwide will enhance democracy, promote good governance and development if the elections are conducted by the people in their own locality. This has the potentials of freeing resources that are tied up at the local level and could promote economic diversification with new opportunities for sustainable growth and development.

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**Keywords:** *Local government, Local administration, Development, Local autonomy*

## **Background to the Study**

Arguably, the closest government to the people at the grassroots level is the local government. As practiced in most Federal systems, one of the major reasons for the creation and standardization of local government is to facilitate rural development (Zoaka and Saleh, 2008). This is because the three tiers-structures of federal system – Central, State/Region and Local - exist to contain and address the administrative and developmental challenges of the demographic characteristics and arrangements of the people.

Hence, countries that adopt the federal structure do so especially when the population is beyond optimum. Administrative instruments like decentralization, de-concentration, devolution and delegation are expectedly employed to share political power and authority to government at all levels of governments including the grassroots level. These instruments help in ensuring political autonomy and economy of the people at the grassroots level. While elucidating the essence of local governments' independence and autonomy. Kamiljon and Bilal (2008) argued that the decentralization of political, administrative, and fiscal authority to local governments is an essential part of the overall development strategies of many developing and transition countries.

Despite the instruments of decentralization, however, certain challenges pose some serious hindrances to achieving the desired goal of availing the people at the grassroots level with the requisite services needed to advance governance. The arrow-head of these challenges is encapsulated on paucity of local government autonomy.

Meanwhile, the autonomy of local government in African countries such as Nigeria is more in theory than in practice. As Olowu (1988:71) succinctly puts it:

*Most government has opted for the direct control by central government of their local governments through a battery of legal, financial and administrative controls... So called "local government" units of central governments or worse still, exist as parallel institutions to the government's field administration controlled by both the central and state units.*

Also, heavy dependence of local governments in Nigeria for instance on statutory allocation from the Federal government whittles down the autonomy of the former. It puts local government at the mercy of the federal government. Furthermore, successive Nigerian governments (both federal and state) have interfered in the actual functioning of the local government. For instance, between 1984 and late 1987, local government councils were abolished and the administration of the affairs of the local government were placed entirely on the sole administrator. Again, in 1994, the elected local government council were disbanded by the military government of General Abacha and replaced with caretaker committees (Ezeani, 2004).

In addition, the financial autonomy of local governments has on many occasions been tempered with by the state governments. This is currently the case in Nigeria where some state governments confiscate federal allocations to the local government and give whatever amount they like to the chairman to run the local government. (Ezeani, 2004:86). Despite these for

reaching measures as recommended by the 1976 local government reform thereby making it the bedrock of modern local government system in Nigeria, One can safely assert that the local government still has some constraints that have actually impeded its success. These in the view of Olugbemi (1986) can be summarized as:

1. Continued jurisdiction of state government over the most important functions allocated to local government in the guidelines and as stipulated in the fourth schedule of 1999 constitution of the federal republic of Nigeria.
2. Continued imposition of various central government, exemplified in the selection of councilors, in budgeting and budget control, in policy determination including the determination of fiscal policies, in personnel management etc which tend to diminish the value of government in local governments.

Other challenges smearing grassroots development and administration range from constitutional ambiguity, lack of political and economic autonomy, poor revenue base, reduction of the local government to the appendages of states, dearth of infrastructures, lack of revenue diversification through SMEs, bribery and corruption to illiteracy and huge presence of unskilled labour.

This paper therefore, takes a cursory look at these roadblocks with the intention of unveiling the unconstitutional dominance of states in the affairs the local government, by extension marring the administrative and developmental processes of the local government.

### **Objectives of the Study**

Arising from the above, this research intends to:

- i. Examine the roadblocks to the administration and development of local government
- ii. Bring to fore, the roles of the state as stumbling blocks to grassroots development in Nigeria.

### **Conceptual Elucidation**

#### **Local Government**

Arguably, the need for decentralization by devolution and other means is based on the fact that centralization inhibits the active participation of the citizens in running of the affairs which, in most cases, can lead to despotism. Thus, if political power and authority is centralized, the opportunity of citizens' participation in governance may be limited. One of the major means through which political power and authority are decentralized in a federal system of government is the Local Government system. The term has been variously defined by different authors and intellectuals.

Baber (1974) in Zoaka and Saleh, (2010) argued that it is the authority to determine and execute matters within a restricted area inside and smaller than a whole state. It also involves the administering of services on a local basis by local bodies. Amplifying the above, they considered local government to be concerned with the regulation and administration of local affairs by the people inhabiting the locality through their own representative body made up largely of elected representatives of the people.

Orewa (1992) sees local government as the lowest unit of administration to whose laws and regulation, the communities who live in a defined geographical area and with common social and political ties are subject. The implication of this in his view is that, the territorial jurisdiction of the local government has to be clearly determined and defined to enable the residents of the local government aware of their civic and financial claim for the provision of service and for protection against health & hazard.

He went further to state that, local government is the product of decentralized administration. Decentralization per se refers to the arrangement by which the management of the public affairs of a country is shared by the central/State provincial and the local government in such a manner that the local government is given reasonable scope to raise funds and to use its resource to provide a range of socio-economic services and establish programmes to enhance the welfare of those resident in its area of authority. In the view of the United Nations Office for Public Administration, Local government is a political division of a nation or (in federal system), state, which is constituted by law, and has control of local affairs, including the power to impose taxes or exact labour for prescribed purpose. The government of such an entity is elected or otherwise locally selected (Ola 1984:7).

#### **Grassroots/Local Administration**

The concept of Local Administration largely differs from the term Local Government even though they may be used interchangeably. For Ozor (1987:312), 'it denotes a local body where the criterion of legal personality and substantial autonomy for the government at the grassroots is patently absent. In local administration, the central government directly appoints and controls both the staff and finances of the local body.

In this system, there is neither the election of councilors in the true sense of elections nor is there any genuine devolution of powers and functions to the local body. The administration at the local level exercises its functions at the will of the central/state governments to which it acts as an agent for translating policies and programmes (Zoaka and Saleh, 2010). A case of local government council (LGCs) administration in Nigeria can be presented by citing the case of a state government providing facilities like schools, entrepreneurship centers or health centers in a local government area. Hence, as Ozor (1987) submitted, a local administration exists when a local authority's power to control its staff and finances are usurped by the central/state governments; when there is an indirect governance of the lower units/bodies by the center in the form of de-concentration rather than devolution of powers and also when they are not disposed to permit any form of power sharing with the sub-units of administration.

#### **Local Government Autonomy**

Local government autonomy is the freedom of the local government to recruit and manage its own staff, raise and manage its own finances, make policies, laws and provide services within the limits of its resources and functions without interference from the federal and state government. The work of different scholars will be reviewed on the meaning of local government autonomy.

Nwabueze (1983) defines the autonomy under a federal system to mean “each government enjoys a separate existence and independence from the control of the other government. It is an autonomy which requires just legal and physical existence of an apparatus of government like a legislative assembly, Governor, Court e.t.c. But each government must exist not as an appendage of another government but as an autonomous entity in the sense of being able to exercise its own will in the conduct of its affairs free from direction of another government. According to Nwabueze, autonomy would only be meaningful in a situation whereby each level of government is not constitutionally bound to accept dictation or directive from another.

### **Theoretical Framework**

The Elite theory is adopted as the guiding theoretical perspective to understanding the reason and justification of States' dominance and illegitimate control of the local government in Nigeria. The concept of "elitism" was propounded as a counter to the Revolutionary theories anchored on social-class analysis in Europe, in the years of fascism. The classical exponents of the Elite theory are two Italians, Vilfredo Pareto and Gaetano Mosca and Robert Michael, a Swiss (Varma, 1975).

To these proponents, every society is ruled by a small (minority) group of people, who possess the attributes that made it possible for them to ascend to the top. Such people are always the best. The elites therefore consist of those successful persons who rise to the top in every occupation and stratum of society. The Elite, where ever they are, generally come from the same class, that is, those wealthy or intelligent (Varma, 1975).

Local Governments in Nigeria are, within the foregoing line of thoughts controlled by the elites who seize the opportunity of their political hegemony in the states to usurp the powers and opportunities for the development, administration and general autonomy of the local government for their selfish interests. These few influential and powerful individuals, who are in the minority, make important decisions concerning the local people while others follow.

Mosca, lays credence to the above in his work "The Ruling Class" (1930), when he opined that in all societies, two classes of people exist: A class that rules and a class that is ruled. The political terrain is dominated by the elites, while the masses being ruled, follow without choice (Giovanni, 1965). The political elites according to the elite theories exist because they are better organized and possess class consciousness when compared to the masses (Robert, 1976). In the Nigerian state, the manipulative process employed by the elite to dominate the local government is a complex one that threatens the survival and efficiency of local administration and grassroots development. This is so because, they hide under the deficiency of the 1999 Nigerian constitution which has not clearly defined the extent of local government autonomy to shortchange grassroots administration and development through states control of Joint-local government account; suspension of the local council through State Independent Electoral Commission and implanting of stooges as preterm chairmen and councilors instead amongst other means.

Given the above, the survival of the Nigerian local government council and democratic process is threatened, due to the contradiction of the interest among the elites, as a result of deep hedonistic manifestation. The political elite tend to sometimes manipulate ethno-religious sentiment as a polarizing tool for the acquisition of political support at this level. All these lead to poor grassroots development and overall administration of local government in Nigeria at the expense of the Nigerian federal system.

### **Methodology**

This research is a descriptive study. Information needed to actualize the objectives of this study were gathered from secondary sources of data which were obtained from textbooks, journal articles, conference papers, newspapers and magazines. The content analysis was employed for data analysis since the paper is a desk research. This involves reading meaning into materials that are collected for the purpose of achieving reliable and verifiable conclusion.

### **Issues Under Consideration in Grassroot Administration and Development in Nigeria**

#### **Constitutional Limitations and Ambiguity**

The fundamental basis upon which the crises bedeviling local government administration and development in Nigeria is premised on constitutional ambiguity. First, the 1999 constitution empowered the state to finance, staff, and democratically constitute the executive council of the Local Government. This has reduced the extent of autonomy of the local government. Writing on this view, Eze (2014) argued that the 1999 constitution in its provision of section 7 recognizes the local government system and also guarantees it. But the state by the same provision of section 7 of the constitution exercises authority over the local government; by virtue of this provision, every state government is to ensure the existence of democratically elected local government councils under a law which provides for their establishment, structures, composition, finance and function. Therefore, any state that enacts any law that doesn't give life to the Local government councils to be constituted democratically is a violation of the constitution and therefore should be seen as anti democratic.

The above suggests that a local government council cannot exercise the functions allocated to it in the fourth (4) schedule of the 1999 constitution until the state House of Assembly had passed a law, which empowers the local government councils to perform its functions listed in the fourth schedule of the constitution. Therefore, it will be erroneous to see the local government as an independent third tier of government. Hence, the question of local government autonomy becomes mythological and not practicable. For instance, borrowing from the New Enugu State Local Government Law 2000, part IX, section 53 and 54:

*There shall be for state, a local government service commission. The local government service commission shall comprise the chairman and not less than two and not more than six members who shall in the opinion of the Governor of the state are persons of unquestionable integrity and sound political judgment.*

This statement implies that the local government service commission is an apparatus of state government in further exercise of efficient control over the local government. Having earlier been empowered to use the State House of Assembly to ensure enactment of a law establishing the local government in the state, the provision for the establishment of local government service commission is another means of control by the state over the local government system and its political, economic and social control.

### **Lack of Political and Economic Autonomy**

Politically, local governments in Nigeria have not substantially wielded the independence required for them to attain the height of their administration and development. From the above constitutional lacuna provided, most of the states ride on the weaknesses of the constitution, to place a stoppage on the democratic elections of most local governments. In some cases, rather than conduct elections, caretaker committees representing the interest of the states are instituted in place of democratic elections of council executives. Examples abound. For instance and until recently local government councils in Anambra, Enugu, Rivers, Abia, Adamawa, Borno etc have not conducted democratic elections to decide who their leaders are.

Stooges of the states are decidedly forced on the local governments by the state government on approval of the states house of assembly. This situation of the LGCs in Nigeria made the Federal House of Representatives in 2011 to declare as illegal the appointment of caretaker committees in 25 states of the country. This no doubt limits the extent of development and administration as these stooges only represent the interest of the elites at the states level. They do so this by awarding contracts, projects and siphoning funds meant for the local government to their cronies. The control of LGCs through the instrumentality of caretaker committees is to guarantee direct control of the resources accruable to local governments by the state executives. This is why the erstwhile Chairman of the EFCC lamented that over 500 local government chairmen were under investigation for various crimes of corruption due to misappropriation and embezzlement of local government funds.

Moreover, political instability that strongly manifested in the polity is among the militating factors against autonomy of the Local Government. This is due to the changing and swinging of political pendulum that oscillates between Sole-administrator ship to Caretaker Committee System and the elected government. This was however scuttled in quick succession arising from the fact that there was no stable political system that could endure political socialization and actualization to germinate, and nurture the orientation for global acceptance. The most favored system was the Sole-Administratorship that further ceded the Local Government to state control and eroded its autonomy (Oyelakin, 1992). This obnoxious policy of the state governors denies the grassroots of the much needed freedom for the initiation and ownership of development projects and programs. This according to Waziri (2014) explains why local government chairmen no longer reside in the domain where they were elected but flee away from their respective LGCs and only show up when allocations have arrived.

Further compounding the problem of democracy at the LGCs is the composition of the SEIC which is saddled with the responsibility of conducting elections into the councils. They set out impossible criteria for the purchase of forms so that at the end only candidates favored by the governor will be able to contest. The results of such sham elections only serve as a vehicle to anoint the choices of the governor so that if a state is PDP the entire council seats will be won by them and vice versa.

Economically, local governments have not had good time with financial autonomy even though the country's constitution mandates that local governments receive 25% of the federation account. The ratio has varied between 10% and 15% but the new revenue allocation formula puts the ratio at 20% (less than what the constitution allows). Also, state governments are expected to pay 10% of their internally generated revenue to their local governments (Akpan and John, 2008).

The evidence available suggests that local government revenue emanates mainly from transfers from the central government. On the average, federal statutory allocations constitute more than 70% of the LGs revenues. In the Ijebu-North LG for instance, federal allocation represented 94% of revenue in 1980; it declined, thereafter, and by 1991, it stood at 83% (Akpan and John, 2008). State governments have persistently not made allocations to LGs. Dlakwa cited in Okafor (2004) lamented that out of 13.3 Billion Naira that accrued to the Borno State Councils only half the amount assigned to them from the federation account between march 2003-march 2004 ever got to them.

In a field work report conducted by Akpan and John (2008) there were a lot of complaints by LG officials about the refusal of state governments to allocate funds due to them. Of the 13 local governments studied, only Bichi and Gusau seemed to have received their statutory allocations from their respective states (Kano and Sokoto). The findings of their research showed that, state allocation which represented 24% of revenue in 1980 dropped to 1.5% in 1991. Bichi LG, like others, depends on the centre for funds. For the period under study, Agaie LG in Niger received no state allocation, while Bida LG in the same state received state funds for only 1980 and 1981.

However, Agaie LG received substantial grants from the state government. It is important to note that state grants are not substitutes for state statutory allocations. The grants are made for specific projects such as the building of schools, health centres etc, by local governments. In some cases, grants are given to LGs to enable them to execute projects and programmes initiated by the state governments, for example, the transition to civil rule programme and the better life programme, among others for which LGs have no funds. This scenario is sadly compounded by the activities of the State joint local government account ( SJLGA) to perpetrate this evil against the LGCs nationwide. Sadly, these funds are not made available. Caretaker committees who are sometimes planted by state governments divert them for personal gains, thus, truncating the development and administration of local government councils.



### **Bribery and Corruption**

Some of the challenges that have besieged the smooth administration and development of local government in Nigeria are Bribery and Corruption. They manifest in biased contract biddings, siphoning of funds and cut in salaries of staff for self gratifications. In addition, the usurpation of Local Government functions and revenue sources by State Government is another serious reflection of corruption which has helped in eroding the autonomy of the Local Government. More often than not, parallel revenue boards, through the states unwittingly usurp and erode the revenue yielding areas of the Local Government. It is not uncommon to see such Boards to include market, motor parks, building plan approvals and forest royalty collection fund etc. they engage in revenue collection and in most cases scarcely account for them.

Furthermore, it is appreciated that finance is the bedrock of any meaningful development. A balance sheet of the comparative performance of Nigerian Local Governments is nothing to write home about. Most of the Local Governments exist only for payment of salaries, as they depend on the federal allocation, which in most cases are deducted from funds meant for the payment of Primary School Teachers Salaries. Even the mandatory 10percent Internally Generated Revenue of the State to Local Governments are not forthcoming (Adeyemo, 2005). This no doubt has exacerbated the lingering problems of local government administration and development in Nigeria.

### **State and Local Government Joint Account**

If allocations are paid directly to the local government purse as opposed to section 162 (5-8) of the 1999 constitution as amended 2011, there will be a better financial stand to effectively steer the administrative and developmental penchants of the grassroots. This has not been the case as the constitutional provision meant for state and local government joint account has proven that the local government can only be at the mercy of the state. There has been plethora of calls for the local government not to maintain a joint account with the state as it's an avenue by which the state monitor the activities of the local government. An analysis of the composition of the SJLGA by Dlakwa (2004) reveals that the membership of the committee does not reflect the local interest of the people but was formed to promote the interest closely linked to the state governors. This call is premised on the fact that since the local government having acquired a status as a government should be able to raise and spend their money as it deems fit to carry out services and other activities which will be beneficial to that area. The local government has been recognized as a third tier of government but functions and activities of the local government service commission suffocate the effective service delivery of local government.

The local government if given the full autonomy that is due a level of government, it will be able to make and implement decision, plan and execute project, look into the needs of the people and provide them with the basic services that a local government should provide in health, education, infrastructure and social amenities without interference of any form from any other government. The local government will become more efficient to deliver services for the betterment of the community. Thus, autonomy is a prerequisite for effective service delivery. It has been proven that there is a relationship between local government autonomy and effective service delivery. Hence, no gainsaying the fact that local government if allowed to operate an account of its own would consummate its administration and development effectively.

## Conclusion and Recommendations

It is the conclusion of this work that in Nigeria, local governments have not been able to deliver its constitutional responsibilities fully due to the interference of the superior government specifically the state government. In fact, a better appellation of local government in Nigeria is 'appendage of the state government in Nigeria'. From the literatures reviewed, the findings of the work show that constitutional ambiguity, lack of political and economic autonomy, bribery and corruption, state and local government joint account and state independent electoral commission all form some fundamental militating factors against the smooth administration and development of local government in Nigeria.

Hence, the work recommends the following:

- i. The state joint local government account should be expunged from the constitution to enable allocation of funds directly to the local governments. This however requires a constitutional amendment which is currently being addressed by the national assembly.
- ii. The idea of caretaker committee should be totally avoided so that the selfish interest of stooges of political elites in the states will not hold sway at the LGCs.
- iii. The State Independent Electoral Commission should not be permitted to conduct elections at the grassroots. The local governments should have a functional three arms of government that would impartially and legally repose the responsibility of electoral contest in the hands of unbiased electoral located in the councils.
- iv. The Nigerian 1999 constitution (specifically section 7 and section 162 sub sections 5, 6, 7 & 8) should be amended to allow local government to staff, finance, control and exist as an independent tier of government of its own without interference by other levels of government.
- v. To allow for political autonomy, grassroots development and administration, local government service commission in the states should be disbanded so as to allow effective administration of local council possible since there is no state service commissions established by the Federal Government to oversee the states at the Federal level.

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