

Electoral Reforms and Local Government Democratization in Nigeria: The Missing Link

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Abstract

The study takes a critical look at Electoral Reforms and Local Government Democratization process in Nigeria. The study was driven by the indiscriminate dissolution of local government elected leaders by state governors on flimsy ground. Because constitutionally, states are empowering to conduct local elections. The study objectives include, to find out whether State Independent Electoral Commission was in better position to conduct local poll than INEC, and to further examine if the abuse of local government democratization process is a consequence of SIEC bad electoral governance. Six hundred respondents were sampled from twenty-three local government areas of Rivers State. These respondents provided answers to the questionnaire items. Data obtained were analyzed using statistical tool. Major findings revealed that SIEC compromised electoral rules by protecting the interest of their pay master. It was also discovered that the abused of local poll is due to state undue interference into local affairs through power interplay between SIEC and state governors. This encourages state governors to dissolve local elected leaders at will. Based on the findings the study recommends constitutional and electoral reforms to ensure INEC gets the power to conduct local polls. This will prevent State authority pressure on local councils.

Keywords: *Electoral Reform, Local Government, SIEC, INEC*

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Background to the Study

The study of local government has become very imperative in recent times, because of the myriad problems presently confronting the local governments in Nigeria. These problems continue to cripple effective local government administration, to the extent that many had called for it scrapping. However, the perceived problems did not erase the importance of local government, keeping in mind functions performed to enhance national development. If for anything, Nigeria is too large for one central government. Given the size, the various cultural values and of course the demand of governance, it would be extremely difficult to administer all functions of government required by the people through one central authority. This, has equally been voiced out by OLA (2009). He made it very clear “the difficulty associated with the art of administering a country with large population of people with diverse ethnic background, through one central authority. He specifically pointed out that such structural government arrangement deny even development as, it is likely, that some areas could be forgotten or left out completely from the scheme of things. This is not a surprise; because, when government activities are conducted from a central point and far away from the people, tend to become impersonal, thereby provoke the feeling of alienation.

In the light of the glaring fact of work needed to be undertaken country-wide by government, it is increasingly impossible, if not impracticable for a single authority to undertake directly all functions of government. Therefore, it is indisputable that local government is created to serve the interest of the citizens at the grassroots.

To enable local government achieve the essence of its creation, military administration rationalized and elevated local government to the status of a third-tier government with democratic structures similar to those obtained at the state and federal levels. The democratic structural linkage shares with state and federal levels include: separation of arms of government, where the executive chairman, like the president, and the governor at the federal state levels respectively serve as the head of the executive arm; just as the president and governor appoints persons into related offices, so also the elected chairman of local government council (Bassey, 2005).

The local government council, like the federal and state also has the legislative organ. This organ approved appointment made by the executive chairman, made by laws, debate, approve and amend the annual budget of the council. The legislative organ, through councilor's oversight functions, monitor the implementation of projects and programmes in the annual budgets (Bassey, 2005): the relationship between the executive and legislative arms of local government is the same with the constitutional requirements for such between the governor, state Assembly members and the commissioners or the president, federal law makers and ministers. Beyond any debate, the clear picture of local government democratic structure analyzed, unarguably point to the crucial nature of the third-tier and the need to evolve democratic process capable of consolidating development in local government areas. But, the process of local government democratization is far from the reality. Despite the functions credited to local governance, the process of democratic mechanism is completely isolated from the other two levels in the area of elections.

Today, local governments are dissolved indiscriminately by state governors. The belief is that, the crisis in local government administration is caused by undue interference in to local government elections by state government. Specifically, the challenge is that, because the 1999 constitution empower state to establish state independent electoral commission, governors through power interplay, use the commission to abuse democratic rights of local people.

The argument therefore is that, indiscriminate dissolution of local government by governors could have been avoided, if election in local government offices were conducted by the national election management body-INEC. Development in Rivers, Lagos and Kaduna States aptly justifies this argument. In Kaduna and Lagos states, Peoples Democratic Party (PDP) conducted local government elections in 2015, and have all the local government chairmen elected on the PDP platform. In the same vein, All Progressive Congress (APC) conducted election in Rivers State, and have all the chairmen elected on the APC platform. Unfortunately, in Lagos and Kaduna state, governors that won in the 2015 general election came on the platform of APC, while that of Rivers state won on the platform of PDP. The issue and perhaps the most striking experience is that all the elected chairmen were dissolved by their respective state governors. The reason for their dissolution without stress, centre around, they are not members of my political party". The manifest nature of this problem had generated a lot of debate among scholars, observers including the federal law makers and other political analysts, who had argued that governors undue interference and overwhelming control of Local government election is responsible for the frequent change of governance at the grassroots level. Put this differently, it is belief that if INEC had conducted local government, governors could not have been interfering into local council election.

In Nigeria, INEC is the primary institutional mechanism of electoral administration. This body ensures overall quality of electoral process, create wards, constituencies and prepare voters registers, voter's card for all election. Materials prepared by INEC are used by the state Independent Electoral Commission (SIEC) to conduct Local Government elections in Nigeria. The question to ask therefore is: Are State Independent Electoral Commission (SIEC) in better position to conduct Local Government Elections than INEC?, Is the extent of democratic abuse at the Local Government level, a consequences of bad Electoral Governance by (SIEC).

These questions can be summed up to form the study's proposition that the failure of electoral reform and the constitution to entrust Local Government elections to INEC, encourage state endue interference and indiscriminate dissolution of Local Government administration by the state Governors. Much pressure and influence from the state Government on the Local Government operators had negative implications for local Government democratization process in Nigeria. The above background generated objective of study, which basically is to find out whether state should continue to conduct Local Government elections in the face of myriad problems.

To achieve the ending significance of the study, the work is organized into threefold dimension. First is the introduction covers in the proceeding pages of this work. The second

takes care of conceptual review and research gap. The last section covers method of study, Analysis and discursion of findings.

Conceptual Review

The concept of Local Government is known to all households in Nigeria, yet, like every other social science term, does not lend itself to a universally accepted definition. This is why a sizeable number of definitions of Local Government have been put forward to achieve this desire. Accordingly, every scholar that have attempted defining the concept, do so from his or her Ideological learning. We shall however consider few of them in this work.

To Tonwe (2007), Local Government is a territorial non-sovereign community, possessing the legal right and the necessary organs to regulate its own affairs. By this, it has the authority to determine, define and execute measures within a restricted area in a state. The United Nations Division of Public Administration Conceptualized Local Government as;
...a political sub-division of a nation (or in a federal system, a state) which is constituted by law and has substantial control of Local affairs including the power to impose taxes or to exact labour for prescribed purposes. The governing body of such an entity is elected or otherwise locally selected.

Taking a queue from the above definition Mawhood (1993) conceives Local Government as;
Bodies... separated by laws... (And have) Local representatives (and)... formal power to decide on a range of public matter... their right to make decisions is entrenched by the law and can only be altered by a new legislation. They have resources which subject to the stated limits, are spent and invested at their discretion.

The above definitions lend credence to the philosophical commitment to the idea of democratic participation in the governing process at the grassroots level. Thus, the most popular participation is fundamental foundation, upon which the substance of Local Government is anchored. Accordingly, Local participation enables, the Local Politicians to be properly groomed or socialized in the art of politics to face challenges at the centre if they eventually opt for national politics. Therefore, Local Government provides the Local people, the platform to conduct their own affairs, mobilize, sustain and execute Local developmental institutions.

Democratic Local Government is never a brain child of colonialism as argued by some scholars. It ever existed in the pre-colonial Yoruba and Hausa Empire. The ethnic groups evolved traditional democracy, in which leaders emerged through orderly method of electing and changing rulers based on cultural values and check and balances. This method avoid imposition and as well, the abuse of power-dictatorial tendencies.

Nonetheless, the first conscious attempt to democratized Local Government was in (1950), when the former Eastern and Western region put in place the Native Authority. However, by (1955) and (1958), the two regions modified the system respectively (Ikelegbe, 2005

The emergence of the Military Government in the post Independent era, witnessed changed in Local affairs. The democratic values of orderly selection of leaders were discarded by the Military, who, as opposed to traditional democracy, appointed leaders to Local council (Erero,1988). To further enhanced Local Governance, major reforms were carried out by the Military administration. According to Olu (2000) these reforms were directed toward ensuring Local participation in politics, political accountability and Local autonomy.

The (1976), (1984), (1988) Local Government reforms were carried out basically to stimulate democratic self-government. The (1979), constitution, section I, with a queue from the (1976), guaranteed that every state shall ensure their existence of Local Government. This constitution provide for the establishment, structure, composition, finance and functions of councils. It is surprising that in all the reforms carried out in favour of Local Government, non were directed at empowering INEC to conduct Local Government Elections. Not even Electoral reforms recognize or empower INEC to conduct Local Elections. The Uwais Electoral reform (2010), electoral reforms prior to the (2011) and (2015) general Elections, including the various constitutional amendments. All kept mute about the need to appreciate INEC in this respect.

In Nigeria, electoral reform is not a new development. This is because, elections have always been marred by issues and controversy that informed reforms as rightly observed by Imhanlahimiand Ikeanyibe (2009).Electoral reforms are deliberate attempt to address weakness, irregularities, or illegalities evidenced in national electoral process. The process involves re-examine laws that guide the process for electoral administrative change, ensure the formulation of good objectives, strategic and tactics. All these, are meant to offset problems associated with electoral body to achieve credible election. In recent times, electoral reforms in Nigeria revolve around, electoral laws, geography, party system and election institution. These areas affect electoral behavior of voters, political party, financing, strategy, and the adoption of national value system as prelude to meaningful democratization in Nigeria. But all the encomium which accompanied local government elections still persist.

Related Studies and Research Gap

Many studies have been carried out in the field of local government administration in Nigeria. In the area of reforms, Felix (2004) study focused on issue of effective management. This study concluded that, the problem of local government is lack of management. No attention given to the nexus between the poor management and selection of leaders of local government. Olu (2000) in his analysis of local government democratic practices noted that, the practice whereby electoral results in the entire polity do not reflect the people's wishes is another short coming that characterized local government electoral process. The study again failed to identify the role of electoral institutional governance in the observed failure. The consequence of this is no doubt severe on democratic practice at the local level.

Dura and Eguji (2004) studied presidentialism in Nigeria's local government system, the study found out that ignorance, misinterpretations and application of the vital tenets of separation of power, which hugs on inter-dependence and unhealthy rivalry characterized the system. In

other word, the study kept mute on the actual conduct of the council election. Dura and Okon (2004) analyzed inter governmental relations and the challenges of third-tier governance. Evidently, the study revered the existing of strong inter-governmental relations between the local government and the state government in Nigeria. He however, did not disclose the benefit or otherwise of this relations. To them, most of the problems arise because the work of the different state ministries and their field agencies are not coordinated with those of the local governments. While this observation is correct the study appears silent on how the selection of leaders at the local government contributed to success or failure of council's administration.

Felix (2004) study the challenges of grassroots development in Nigeria and found out that autonomy of local government as a third tier system does not mean absolute independence from other levels of government. In this sense, autonomy of local government should be seen as empowerment for greater role in grassroots development. This position lends credence to the fact that democratization of local government could be viable if its election is conducted by INEC.

The reviewed works above shows that no attention has been given to electoral reforms in the area of election with regard to empowering INEC, with profound implications for democratic process in the local government administration.

The Study Method

The study employed descriptive techniques and survey research design to investigate the problem under study. Osuala (1982) had described descriptive techniques as one which specify the nature of problem studied, by providing vivid and accurate description of the population that constituted the problem. This technique unveils trends and characteristics of the phenomenon. To Ndiyo (2005), descriptive techniques sought to obtain information concerning the status of the situation studied. The beauty of this method is that, it established nature of the problem at the time of the study, as well identify variable which must have accounted for the state of the phenomenon, which in this case, is state undue interference into local administration. In all, the method was adopted to generate data to enhance the process of decision making concerning the problem of study. Descriptive techniques is complemented will survey design. Thus, a self-administrated questionnaire was employed. In order to collect primary data, a research instrument was designed based on an extensive review of literature, in line with the study problem and objectives.

Sample and Survey Produres

The study covers the entire 23 local government area of rivers state. This state was considered for the study, keeping in mind problem of local government in recent time. In order to collect data from the respondents, systematic random sampling approach was adopted. All the 23 local government were selected. Sampling elements include politicians, staff of INEC, SIEC, legal practitioners and university lecturers. These subjects, the study belief have full knowledge of the matter under investigation. The research employed two medium of the administration of the research instrument. Firstly, the instrument was administered, through physical contact and the second, through email to those who could not be contacted due to practical constants.

Especially, those in the riverine areas. Six hundred respondents were accessed from the 23 local governments, with 500 usable responses generated through physical contact and 100 through email. The response rate come out to be close to 89% which can be considered very high. The need for the validity of the questionnaires was considered. The questionnaire has validity if it measure the concept it was intended to measure (bugozzi, 1981; malhotra, 2010).

Data Analysis and Discussion of Finding

Are state independent electoral commissions in better position to conduct local government election than INEC?

Table 1: Respondent Opinion

Respondent	Number OF RESP.	MEAN X	Standard Deviation	DF	T.CAL	T.TABLE
SIEC	600	2.66	1.07			
INEC	600	2.29	1.12	598	5.78	1.96

The result obtained from table 1 above shows that the t-test calculated are 5.78 while its table value is 1.96 at 0.05 level of significant. This means that since the t-test calculated value is greater than the table value at 0.05 significance levels, it revealed therefore that state independent electoral commission are not in any better position to conduct local government elections. Is the extent of democratic abuse at the local government level, a consequence of bad electoral government by SIEC.

Table 2: Respondents opinion

RESPONDENTS	Number Of Respondent	MEAN X	Standard Deviation	AF	T.CAL	T.TABLE
YES	348	3.00	96	598	3.25	1.96
NO	252	2.14	1.04			

The result obtained from the above table 2 revealed that the t-test analysis in research of bad electoral governance by SIEC was 3.25 values against 1.96 critical table values at 0.05 level of significant. This implies that the extent of democratic abuse at the local government level is a consequence of bad electoral government by SIEC.

Discussion of Findings

The finding of question 1, which sought to find out whether State Independent Electoral Commission (SIEC) is better positioned to conduct local government elections than INEC, shows that SIEC is not better positioned, as envisaged by the 1999 constitution, that empower state to establish state independent electoral commission to conduct local government elections. This finding find support in senate position, that SIEC conduct of local government election has never been satisfactory. This view in however, supported by the glaring fact that in virtually all cases, the party of the sitting government sweeps the position of chairman in the local government elections despite the strength of the opposition party in the state. A test to

this, is the result of local poll in recent time. Local government council elections conducted in Kano, Akwa-Ibom, Rivers, Lagos and others states of the federation proved the finding of the study. In these states, chairman of local government that contested on the party of the sitting governor won in all councils. It is this kind of situation that perhaps informed Shola (2010) to question the credibility of state government in conducting local government elections. This study revealed three cardinal indicators that further support the result obtained from the analysis of data gathered. First, state independent electoral commissions are of state creation guaranteed by the constitution. This, without any debate is suspicious. SIEC composition and of course appointment of its officials, is the exclusive right of the government. Because they are employed by the state governor, they are easily susceptible to manipulation by the governor and the state legislature. The oversight role expected of the legislature in the screening of governor nominee for SIEC position, perhaps to ensure credible and impartial men with integrity are appointed, is also rendered impotent by the fact that the governor's party has majority of the legislature sufficient to secure the governor's interest in the House of Assembly. Relating to the above indicator is the issue of job security.

SIEC officials can be removed by the governor on flimsy grounds. To secure job security, SIEC officials prefer to protect the governor's interest against practical administration of free and fair selections. The last indicator is the funding of the electoral body. In an effective workable independent electoral body system, consolidated account is very important. This, not only specifies revenue allocated, but also place the fund under direct control of the body. This is however not the case in Nigeria. SIEC does not have an independent budgets or sources of funding. The electoral institution depends exclusively on the state government. These situations suggest clearly that SIEC are not in any better position to conduct local government election, as every facts point to power interplay between the governor and SIEC against credible electrons, hence, bad electoral governance. As discovered from the analysis of data in respect of question 2 democratic abuse at the grass root level, is a function of bad electoral governance by the SIEC. It is a known fact, that election management institutions like the SIEC, INEC, among others are part of a set of institutions and rules that together determine the probity of electoral processes. SIEC official's allegiance to state governor tends to be more visible, giving rooms to low quality elections. Instead of the institutional structures to promote level playing fields, SIEC compromise the rule of the game.

Given the fact that elections are the podium and major pillar of leadership selection and governance legitimating, the importance of electoral governance cannot be over emphasized. Effective electoral governance alone create and maintains broad institutional frame work in which rule making, rule application and rule adjudication with other comprehensive activity relating to political process takes place. Therefore, electoral governance defined the interaction and work with constitutional and institutional rule, to determine the basic rules for election procedures. Only these, in its strict sense, make election outcomes to be respected. But, the reverse is the case with SIEC local government elections. Local government election conducted by SIEC is characterized by must rust, widespread allegation of fraud, widespread dissatisfaction, complaints from the opposition over alleged compromised of SIEC, poor planning and lack of professional inputs. It can be argued that the badly conducted local

government elections processes, is due to non involvement of INEC in the conduct of local elections. Failure of the constitution and electoral reforms provision to empower INEC is responsible for poor democratic process at the local level.

Jiga (2014) acknowledged the gap and perhaps the missing link in the various electoral reforms when he reintegrated that:

There are many challenges faced in Nigeria's modest Reform efforts much as we tried, there are still many outstanding challenges which we are yet to be successfully addressed. There is therefore, the absolute need for a deliberated, purposeful and focus reform of the Nigerian electoral processes. This should be inclusive so as to tackle subsisting challenges, clean up and sanitize the policy and create a solid foundation for consolidating and deepening democracy in Nigeria local government.

It is instructive to note that much pressure and influence on local government operators by state would greatly reduce if reforms take into consideration the stabilizing and professional disposition of INEC, and allow it to administer the third tier elections.

Conclusion and Recommendation

The various efforts to ensure effective participation of local people in local government election through the reforms are commendable. However, the frequent dissolution of elected council leaders and replacement by party loyalists by state governors does not potent good for local government democratization in Nigeria. This development, as revealed in the study could be attributed to power interplay between governors and state independence electoral commission, that building on constitutional constraints; non involvement of INEC in the conducts of local government election to abuse local government democratization process.

It appears that the important of INEC in stabilizing local government elections have been overlooked. To strengthen local government democratization and for broader democratic consolidation, at the grass root, electoral reforms and constitutional review would have to empower INEC to conduct local government elections. This will not only discourage indiscriminate dissolution of local government elected leaders, but also avoid imposition of party loyalists, and ensure popular participation for effective representation and national development.

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