

PROBLEMS AND PROSPECTS OF LOCAL GOVERNMENT AUTONOMY IN NIGERIA (A CASE STUDY OF ORUMBA NORTH IN ANAMBRA STATE)

EZEAJUGHU MARY C. (PhD)
Department of Political Science
Faculty of Social Sciences
Tansian University, Umunya, Anambra State, Nigeria

Abstract

Local government autonomy fosters effective performance of the third tier government in Nigeria. This is because it ensures the people's participation in issues concerning them and it leads to sustainable grassroots development in a country. In a federal system of government, like Nigeria, there is the need for the autonomy of the local government system so that the third tier government would have a sense of belonging. It is against this backdrop that this study was embarked upon to examine the implications of local government autonomy for effective performance of Orumba North Local Government Area of Anambra State. This paper concludes that local governments have not been able to play their constitutional roles, let alone make attempt at rural development due to the fact that they have been emasculated by other tiers of government. It suggests the Integrated Rural Development (IRD) approach in view of its comprehensiveness for sustainable rural development. The paper strongly recommends autonomy for local governments. It further canvassed fiscal and political reforms as avenues for strengthening governance in the Nigerian local government system.

Keywords: Local government, Autonomy, Reforms, Development, Statutory provisions.

Introduction

Nigeria has three (3) tiers of government namely; the federal, state and local Government, out of the three tiers of government, the federal government exercise considerable control over the state and local government. According to the 1999 constitution of the Federal Republic of Nigeria, the federal government has wider range of exclusive power such as foreign affairs and defense, creation of state etc. Local government has been defined in various forms by different writers. it was defined as a statutory authority in a specified local area, having the power to raise revenue through taxes for the performance of local services such as sanitation, education, water supply, etc. Precisely, they see local government as authority as authority constituted by the elected representatives of the local people, which enjoys autonomy from state or central control sufficient to enable it to perform its services adequately.

Local government system being the third tier exerts considerable influence on the people at the grass root level in a federal system of government. Its importance to the political, social and cultural development of any nation cannot be over stated. It enhances the political and socio-economical development of people of the grassroots level. As a tier of government, it is endowed with some constitution power, discretion and responsibilities. During the colonial

era, local administration was vested on officers appointed by the colonial administrators, its later successors and the regional governors. Local government edict No. 9 of Anambra State of Nigeria gazette No.32, Vol. 1 stated "The salient features of the 1999 local government reform are as follows:

1. A unified and uniform system of local government was created throughout Nigeria.
2. A local government structure that brought government nearer to the people thereby giving them the opportunity to effectively participate in the administration of their locations.
3. To enable the local government perform effectively and efficiently authority that should be provided.

Over the years, the autonomy of local governments in Nigeria has been seriously whittled down by state governments. Instead of operating as local governments, it functions as local administration. "The autonomy as provided by the constitution is now in theory than in practice. This has placed local government in a subservient position in its relationship with the state and federal governments. Local government administration in Nigeria; continues till date to be bugged down by numerous external and internal problems. There has been a sustained argument that the seven hundred and seventy-four (774) local government areas; which form the third tier of government in Nigeria, are contributing little to national development to justify their existence. Few would dispute that the government have not really facilitated rapid development at the grassroots, which is the essence of their creation. The failures of the councils to discharge their role very well has tended to make them unpopular before the citizens as council officials are better known for their ability to squander funds meant for service delivery at the grassroots.

Sadly, local governments which are statutorily established to be closest tier government to the people is not doing its bidding coupled with the fact that resident population in it is derived the benefits of its existence. The failure of the local governments in areas of service delivery has made citizens to lose trust in government as an institution. In some areas, council officials are better known for the harassment of citizens than service delivery. The problem of the local government is even compounded by the unbridled interference of the state government. In many cases, elected council executives are dissolved by the state governors without due process. Some are suspended for reasons that more often than not border on petty politics. Constitutionally, local governments in Nigeria are not autonomous; their activities are being interfered by their respective state governments, which make it difficult for them to exercise financial independence. It is identified that this lack of independence is the ineffective local governments operation in the country.

Nexus between Local Government and Rural Development

The local government, being the government nearest to the rural populace, is one of the best institutions for generating motivation and encouraging mobilization for self-help, as well as inducing the much needed wider participation of the local population in the decision-making process at the local level. It is estimated that rural local governments account for about 80 percent of the entire Nigeria population, and it is plausible to argue as pundits do, that the so-called third world is a rural world where any meaningful discussion of rural development really means not only talking of overall national development, but also because it is in the

rural areas that the problem of inequitable distribution of resources or a marked lack of purchasing power and of grinding poverty in which the wretched members of society stagnate and stare one in the face with brutal clarity. To guarantee the satisfaction of basic social needs, therefore, local responsibility and co-operation must be encouraged and that can best be developed through the participation of the local citizenry, not only in the affairs of their local government, but also in their own community affairs. It is important to observe that the existence of the third tier system of government in Nigeria should at least, halt the deteriorating living conditions in the rural areas of this country. An effective local government will be better disposed than the state or federal governments not only to stem the grim reality of the "rising tide of rural poverty", but also better placed to evoke the spirit of "local co-operation", thereby being more able to galvanize and mobilize the support of local citizenry in participating in all the programmes that may affect them.

Factors Undermining Local Government Autonomy in Nigeria

There are numerous challenges facing local governments in Nigeria, these ranges from institutional fragility to systemic decay in the polity. But the following are the most problematic areas that are posing challenges to autonomy of the tier in the country. These include: -

Constitutional issues – The 1999 constitution of the Federal Republic of Nigeria (as amended) made it difficult for local governments in the country to operate as an autonomous tier because of its provisions that relates to that level of government in the federal arrangement. Financially, the constitution provides for a joint state– local government account which all revenues accrued are pooled there, and this gives the state governors an opportunity to deny local governments what is due to them. Furthermore, the existence of the state independent electoral commission democratizes the system and paves way for plating.

State- Local government joint projects- State governors use their powers and compelled local governments to engage in joint projects which has little or no relevance to the people of the areas instead of allowing the tier to come up with projects that were initiated by the people who felt that it is an areas that they needed the local governments to address. In most cases, these projects are either abandoned or left without commissioning resulting into a waste of resources or channeling a huge sum that may be used to execute a number of projects in the area. Although such joint projects are being done with the consent of the councils, but in most cases, they lacked the powers to reject the idea because they were not elected in free and fair elections as such they are only obeying the directives of their political godfathers at the expense of the majority populace.

Federal and State Government Control on Local Governments

The attempt made by the colonial power to reform Local government system in Nigeria was almost destroyed by the first leaders of independence in 1960-1966. The event of the first military coup that took place in 1966 further dumped any early hope of development that took place during the colonial period. All local government councils were abolished and sole administrators were appointed. This laid down basis for interference in the conduct of local government affairs by military and civilian Governors to date. However, the major reform on local government system in Nigeria was carried out under a military regime in 1976. It was

followed by the 1979 constitutional development reforms. On the civilian government, the events that took place from 1998 onwards clearly explained the influence and self imposed discretion on local government by the federal and state government. The issue of control on local government such as tenure of office, power to create local government, and allocations for its effectiveness become major issues between federal and state authorities. For instance, the law provides for 3 years tenure in office (The Basic Constitutional and Transitional Provisions Decree No. 36 of 1998). The local government officials requested for four years tenure like other tiers of government. Though, the National Assembly extended the tenure of local government officials by legislation, the Supreme Court quashed the legislative authority and held that, no law by the National Assembly can increase or alter the tenure of elected officers of local government. In other word, legislation has no statutory obligations to extend local authority's tenure. Interestingly, state creations in Nigeria were all done during military regimes, from 3 regions during colonial era to 36 and the federal capital territory of Abuja in 1996, while LGs increased from 301 in 1976 to 774 in 1996.

Orumba North Local Government and its problems of Autonomy

The early settlers of Orumba North were the Igbo people. Archaeological discoveries of intricate works of black smiting and works of art in bronze and other metals point to the existence of a developed ancient civilization major economic activities of the people. There is an ancient festival celebrated by the people of Orumba North which is a reconciliation festival designed by the forefathers to reconcile people, families, and clones, kindred's villages and communities. Given the importance of local government autonomy as a veritable tool for effective service delivery at the grassroots level in Nigeria, Orumba North local government are had emerged as an avenue for effective rural development. The local government area could perform effective service delivery through construction of feeder roads, provision of educational facilities, provision of health care services; drilling of pipe-borne water and enactment of bye-laws by the legislative arm of government. The identified problems/challenging factors could be resolved in Orumba North L.G.A by the provision of adequate revenue sources, abrogation of state/local government joint allocation, scrapping of the ministry/Bureau of local government, clarity of the respective roles and responsibilities of state and local governments and constitutional amendment. The state government over interferes with the funding of local government and this affects local government in executing developmental projects in Orumba North. Also the activities of local government service commission are yet another obstacle to Orumba North L.G.A in performance of service delivery.

The Implication of Local Government Autonomy for Effective Performance of the Third Tier Government

Local Government autonomy in Nigeria has increasingly continued to be undermined by higher tiers of government particularly the state government through the instrumentality of Ministry or Bureau of Local Government throughout the federation. This constitutes an impediment to the effective performance of the third tier government in their realization of grassroots development. To guarantee the autonomy of local government in Nigeria, therefore, it is imperative for the Ministry or Bureau of the LG to be scrapped or restructured to ensure its control by the local government authorities.

Another implicating factor to local government autonomy which militates against the performance of the third tier government in Nigeria is the states joint local government account. The states through this, lodge excessive control over the local governments in Nigeria, "since the introduction of this joint account in 1981, during the Second Republic Administration of President Shehu Shagari," it has become obvious that local government were placed at the mercy of both the state and federal government Vis-à-vis their operational financial autonomy in Nigeria. This practice ought to be discontinued to ensure that local governments directly get their allocation from the federal account without any hitch. This will assist local governments in functional performance. In other words, "local governments should be made to enjoy substantial autonomy over their budgetary, revenue and fiscal matters".

As a corollary to the above, the autonomy of the local government suffers due to inadequate funding. This affects local government ability to provide service to the people. Given this scenario, local government financial resources should be improved and upgraded in order to meet their constitutional obligations. This will in turn boost the independence of the third tier government in Nigeria as "it will give them confidence and power to asset their autonomy". It was also observed that the existence and operations of the local Government Service Commission has been a clog in the existence of autonomy of local governments due to the fact that it is a state government organ which controls all issues relating to the personnel management of the local governments. The effects of this are that local government cannot assert their autonomy. The joint performance functions by both the local and state governments have put the former at the subsequent position. This limits the operational autonomy of the local government.

Conclusion

In this study, we have examined local government autonomy and its implications in the governments of Orumba North L.G.A of Anambra State. We conclude thus; that local government autonomy in Nigeria means freedom to recruit and discipline her own staffs, control and management of their staff and resources; ability to make policies and laws without external interferences, ability to provide services within her allocation limits and awards of contracts with the limits of her resources and functions. That inadequate funding; activities of the ministry or Bureau of local government, the establishment of Local Government Service Commission poses challenges to the autonomy of local government system in Nigeria. Finally, in order to ensure local government autonomy and effective service delivery at the grassroots level, there is the need to restructure the Bureau of ministry of local government; need to discontinue the states joint local government account so that local government would directly get their allocation from the federal account, that local government financial resources should be upgraded; that local government commission should be constituted by the local government itself and not state, and to clarify the roles and responsibilities of state and local government so that autonomy and effective performance of local governments would be granted.

Recommendations

The following are recommended to ensure local government autonomy and effective service delivery in Nigeria:

1. To guarantee the autonomy of local governments in Nigeria, it is imperative for the ministry or Bureau of local governments to be scrapped or restructured to ensure its control by the local government authorities.
2. There is the need to discontinue the practice of states join local government account so as to ensure that local government directly get their allocation from the federal account without any hitch. This will assist local government in functional performance. This means that local government should be made to enjoy substantial autonomy over its budgetary, revenue and fiscal matters.
3. It is imperative for the local government service commission to be proscribed to enable local governments to constitute their own commission and appropriately assert their autonomy, since it has been observed that the existence of autonomy of local government due to the fact that it is state government which controls all issues relating to the personnel management of the local governments.
4. There is an urgent overriding need for greater clarity of the respective roles and responsibilities of the state and local governments. This is because it has been observed that joint performance functions by both the local and state governments have put local governments at the sub-servant positional this limits the operational autonomy of the local governments and paves way for the intrusion, interference, distraction and control of the local government by the state governments.

References

- Ajayi, K. (2000). *Theory and Practice of Local Government*. Ado Ekiti, UNAD
- Alderfer, H. (1959). *American Local Government finance in Nigeria: problems and prospects*. Ile-Ife: university of IFE press
- Bello- imam, I.B. (1996). "Local Government in Nigeria: Evolving A Third Tier of Government", Ibadan: Claverianum Center
- Federal Republic of Nigeria (1999). *Constitution of the Federal Republic of Nigeria*. Lagos: Federal Government Press.
- Gboyega, A. (1987). *Political Values and Local Government in Nigeria*, Owerri: Versatile Publishers
- Nwosu, N. (1987). *Strategies for mass mobilisation and implication for rural development*. Paper presented at National Workshop on Local Government, UNN (November).
- Rondeneli, D.A. (1981). "Government Decentralization in Developing Countries", *International Review of Administrative Sciences*, Vol. XLVII, No.
- Otive Igbuzor. (2007). *Local Government Reform and Constitutional Review in Nigeria* retrieved from: <http://www.dawodu.com/otive1.htm> on 11.05.2012.
- Ossai, O.J (2006). *Government at the Grassroots of Nigeria: An Experimental Learning*, Port Harcourt: Ulumba Publishers
- What is the origin of local government council in Nigeria? Retrieved from: [http://wiki.answers.com/Q/What is the origin of local government council in Nigeria](http://wiki.answers.com/Q/What_is_the_origin_of_local_government_council_in_Nigeria) on 12.06.2012