

## **LOCAL GOVERNMENT OR LOCAL ADMINISTRATION IN NIGERIA: A STUDY OF THE CRITICAL ISSUES AND TAXONOMY OF OTHER DEVELOPMENTAL MODELS**

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### **Abstract**

This study examines if what obtains at the local level in Nigeria is accurately describable as local government or local administration, it verifies how the local government system in Nigeria compares with some other developmental models of local government, and finally makes recommendations on how to bring about a high degree of effectiveness, in the local government system in Nigeria. Findings of the study suggest that what truly obtains in the management of local affairs in Nigeria is an amalgam of intentions, bordering on local government in theory, but in practice, approximates a combination of local government and local administration. Furthermore, findings of this study indeed indicate that the local government system in Nigeria, in terms of the relationship between design and practices, compares poorly with the other developmental models examined in the study. It is concluded in the study that to bring about a high degree of effectiveness in the local government system in Nigeria, the concept and practice of local government, as different from local administration, have to be strongly reinstated.

**KEYWORDS:** Local Government, Local Administration, Developmental, Models

### **INTRODUCTION**

Development is in reality a multidimensional issue. It is not a fixed metaphysical construct. It does not also situate like the Rock of Gibraltar. It entails a process of social engineering, whereby in the dynamism of the process, different societies tend to proceed in different directions. Nevertheless, at the end of the day, there are societies with processes that seem seamless. There are also the other societies with developmental methods and strategies, which appear to be profoundly complicated, but also seem to be more result-oriented. Essentially, therefore, societies with seemingly more seamless processes and their counterparts with complicated methods and strategies, which however appear more result-oriented, denote the models of development. The specific objectives of this study are to: (i) examine if what obtains at the local level in Nigeria, is local government or local administration (ii) verify how the local government system in Nigeria compares with the other developmental models of local government and (iii) make recommendations on how to bring about a high degree of effectiveness in the local government system in Nigeria. The theoretical framework of this study is indeed, eclectic in character. It is in so doing combinatory of the democratic-participatory, the

efficiency-services, the developmental and the localist theories of local government, succinctly identified and elucidated upon in Ezeani (2012).

## CONCEPTUAL EXPLICATION

### Local Government

Social science concepts are usually difficult to define. The concept of local government is indeed, not an exception. Thus, some definitions that may on the face of it appear highly useful, may on further scrutiny turn out to be highly unhelpful. Golding (1975) for instance defines local government as the management of their own affairs by people of a locality. But local administration may also be managed by the people of a locality, not by emigrants. In any case, according to Ezeani (2012), definitions of local government have been subsumed under two broad approaches, as reflected in the literature. The first approach which is usually adopted in comparative studies, regards all sub-national structures below the central government as local government. A major criticism of this approach he posits is that not all sub-national structures below the central government possess the essential characteristics or features of local government. Ezeani (2012) further explains that the second approach to the definition of local government identifies it by certain defining characteristics or attributes which are essential to distinguishing it from all other forms of local institutions and to ensure its organizational effectiveness.

Ogunna (1996) on the other hand posits that local government can be defined as a political authority, which is purposely created by law or constitution, for local communities, by which they manage their local public affairs, within the limits of law / the constitution. This of course highlights the communal nuance of local government (Idike, 2013). Thus, according to Ibietan (2010), local government in the communal sense means people's political instrument to participate in resource allocation, distribution and power acquisition. Furthermore, Ogunna (1996) highlights that local government serves as a good training ground for national politics, as councilors gradually gain the art and craft of politics. All of this alludes to the participatory and representative nature of local government, for its essence to fully manifest (Idike, 2016).

The concept of local government, contends Abonyi (2011), involves a philosophical commitment to democratic participation in the governing process at the grassroots level. This implies legal and administrative decentralization of authority, power and personnel, by a higher level of government, to a community with a will of its own, performing specific functions, as within the wider national framework. Lawal (2000) cited in Abonyi (2011) also sees local government as that tier of government, closest to the people, which is vested with certain powers, to exercise control over the affairs of people in its domain (Idike, 2016).

A particularly popular definition of local government in the Nigerian literature is contained in the *Guidelines for the Reform of Local Government in Nigeria (1976)*. In fact, the popularity of this definition stems from its comprehensiveness. This "guideline" states that:

Local government is the government at the local level, exercised through a representative council, established by law, to exercise specific powers within defined areas. These powers should give the council, substantial control over

local affairs, as well as the staff and institutional and financial powers, to initiate and direct the provision of services, and to determine and implement projects, so as to complement the activities of the state and federal government, in their areas, and ensure, through active participation of the people and their traditional institutions, that local initiatives and response to local needs are maximized.

### **Local Administration**

Okeke & Eme (2011) have already highlighted what they referred to as an apparent lack of precision in the use of the terms, local government and local administration. Eme (2011) further indicates that although local government and local administration are sometimes, used interchangeably, they do not mean the same thing. For the meaning of local administration, we shall immensely rely on the position of Ogunna (1996) as follows:

It is important to note that there is a difference between local government and local administration. While local government involves political authority, local administration connotes administrative authority. Ideally, local government involves both the legislative and executive processes operating under democratic principle of popular participation of the local people in the management of their local affairs. Precisely in local government, the local people are expected to be fully involved in the making of policies and byelaws of their Local Government Area. Local government therefore, requires the management of the affairs of the locality, by the representatives of the people, selected in regular periodic, free and fair elections.

On the other hand, continues Ogunna (1996), local administration is a bureaucratic process aimed at the provision of local services. It involves the delegation of powers to an administrative authority, to execute policies and byelaws; it does so under delegated authority. Local administration is not concerned with popular participation in the decision-making process or in popular sovereignty in the management of local affairs. Local administration places emphasis on the efficient maintenance of law and order, and effective execution of local policies and programmes and byelaws, in keeping with the law, which establishes it. Ezeani (2012) further sees local administration as a form of deconcentration run by appointed people who owe total allegiance to the source of their appointment.

### **Developmental Models**

To get to the concept of developmental models, we shall pass through the route of properly articulating the meaning of development. And as a matter of fact, it is difficult to define development. Okereke & Ekpe (2002) have thus argued that the term “development” as used in contemporary social science literature is not only vague and nebulous, but is also polemical. Hence, even where we unavoidably appear polemical, in defining development in this paper, we shall endeavour to avoid vagueness or nebulousness. Therefore, we agree with Ofuebe (2002) that development occurs when the growth of human capabilities and potentials are accompanied by

progressive reduction of material deprivation and social inequalities, which in turn should flow from structural change and modernization of the economy.

Okeke & Eme (2011) describe development as a common goal or objective of all peoples. Specifically in the context of local government and development of localities, Eze & Muanya (2013) have posited that the existence of local governments the world over have been categorically recognized as being pivotal to the rapid development of localities, where national and state governments may not be able to reach.

In this study, developmental models refer to the local government systems in societies, with apparently more seamless processes of local government and their counterparts with invariably complicated methods and strategies, which however appear more result-oriented. The focus is on what obtains in their local government system and not in the overall society. Hence, it is critically held in this study that the purpose of local government is to guarantee development at the local level. It is in this context that we use the concept of developmental model in this paper. Further to this operationalization of concept therefore, we shall single out three societies and highlight what is obtainable in their local government systems. This work in this regard, relies fully again on the expositions of Ogunna (1996) for a taxonomy of these developmental models as follows:

#### **Presidential Type – The American Model**

A presidential type of local government is a system in which the executive arm of the local government is separated from the legislative arm. In this system, all the executive powers of the local government are vested in the Chairman of the Local Government or Mayor, as he is sometimes styled. The Chairman or Mayor is elected directly by the electorate of the local government area. This implies that the whole of the local government area is his constituency. The chairman appoints the political heads of the local government departments, who assist him in the executive duties of the local government. These public officers are responsible and accountable to him. The legislative organ of the local government is the council, which is charged with the responsibilities of local government legislation and policymaking, control of finance and the supervision of the executive organ. The council has its own Chairman who is elected by the council. It consists of councilors, popularly elected by the electorate in their respective council wards. The Chairman of the Local Government and his officers are not members of the council. The Chairman has a fixed tenure but can be removed by the council through impeachment. Legislations made by the council must receive the Chairman's assent before they become byelaws. The Chairman is empowered to veto legislation made by the council. However, it is usually provided that where the council re-passes the bill by a two-thirds majority, it becomes byelaw without the Chairman's assent. The major characteristic of the system is separation of powers and checks and balances. The system engenders forceful and dynamic political leadership at grassroots level. It is also capable of tapping the best human local resources for the administration, as the Chairman chooses his aides who possess special knowledge and experience from anywhere in the council area.

### **Parliamentary Type – The English Model**

The parliamentary type is a system in which the executive and legislative arms of government are fused. The Chairman and Secretary of the local government are members of the Council. The local government enjoys adequate local autonomy, which is exercised by a popularly elected council, whose tenure is for a fixed period. The council which is the highest political authority of the local government operates through committee system. The committees perform a great deal of executive functions of the local government; hence the crucial role in the provision of local services. The council has full control in the management of local government staff. In some nations, ...individual local governments employ and manage their own staff directly, while in others, local governments have a common local government staff agency established by the central/state government, which is responsible for the appointment, discipline and promotion of local government staff e.g. Local Government Service Board or Commission.

The degree of autonomy enjoyed by this system varies from State to State. But in any case, the autonomy is never absolute. The central or state government has to exercise a measure of control in order to ensure that certain minimum national standards are maintained and effective provision of local services is attained. The greatest merit of the system is that it ensures full cooperation and understanding between the executive and legislature, as the two arms are completely fused, thereby minimizing internal conflicts and tensions.

### **Prefectorial Type – The French Model**

This form of Local Government has its distinguishing characteristics as an integration of the Local Government with the central administration and an absence of local autonomy. The local government operates as an extension of the central government. Although the Local Government has its separate staff, they are part of the civil service, as they are recruited, disciplined and promoted by the central government and operate under its regulations. The staff enjoys the same conditions of service with the civil service. The local government has a popularly elected council, which is headed by a Mayor. An administrative officer appointed by the central government at the local level, known as the Prefect, exercises effective control over the council. He directs and supervises the council in the conduct of local affairs. The Prefect, a technocrat, is a professionally trained and experienced administrator. The prefectorial system is based on the pre-eminence of the Prefect, the major element in local administration.

The Prefect is the Chief Executive of the local government and the representative of the state and the whole central government establishments at the local level. He is officially the head of all government services in the field. He coordinates the activities of all central governments' field officers. His functions are both administrative and political. He is the "eyes and ears" of the central government at the local level and at such, sends regular intelligence reports to the central government. The Prefect is independent of the local government council, which is subordinated to him.

He is the central hub on which the entire local government revolves and as such, he is the focus of local power. The policies and byelaws of the council are forwarded to the Prefect for his assent before they are given the force of law. He is also empowered to veto decisions of the council, which he considers inappropriate, or inconsistent with the central government policy or public interest. The Prefect protects the central government interests and values, and ensures

administrative efficiency at the local level. He serves as an important administrative and communication link between the central government and the local administration.

In essence, the French developmental model in the conduct of public affairs at the local level is describable as local administration.

### **BETWEEN LOCAL GOVERNMENT AND LOCAL ADMINISTRATION IN NIGERIA: CRITICAL ISSUES**

The local government system in Nigeria, in theory neither relates fully and fundamentally with any of the foregoing models, nor is it positively unique in its own designs. It is rather an amalgam of the intentions of the three models highlighted above. In practice, the Nigerian local government system in its current nuances is evident of the greedy designs of some political and administrative elements that are alien to the local people. In other words, the local government system in Nigeria, in terms of the relationship between design and practices compares poorly with the other developmental models examined in this study. In place of local government, the Nigerian system in its current form begins to look more and more like local administration.

Consequently, a major development that turned the local government in Nigeria into local administration was the caretaker syndrome. Under the caretaker system, the representative imperative of government in the local government system was jettisoned. And the preferred system became marked by executive imposition, which was essentially undemocratic. According to Omoniyi (2013), cited in Eze & Muanya (2013), evidence had shown from available statistics that only 17 out of the 36 states and the Federal Capital Territory in Abuja, Nigeria, had elected officers running the affairs of their local government areas as enshrined in section 7 of the 1999 Constitution. Because of this, it remained very difficult to make the caretaker officials at that level of governance in Nigeria, accountable to the people.

Let it be recalled that in a federal democracy, such as Nigeria's democracy, local government is also the basis for the articulation of the local community's interests in the areas of resource allocation, distribution and power acquisition (Ibietan, 2010; Idike, 2013). A local government will certainly live up to the expectations of this interest articulation, more than a local administration. In this dimension, Laski (2008) posits that a local authority that has the power to make mistakes is more likely to do useful work than a local authority, which merely carries out the will of a central body. Elected local authorities are the types that have powers to make mistakes. They are fully classifiable as local governments. Local administrations are usually unelected. They are the types that in the Nigerian setting carry out the will of the State governments, as caretaker committees.

Indeed, according to Ezeani (2012), adequate provisions were made to safeguard most of the basic features of a local government in both the guidelines for the 1976 local government reforms in Nigeria and in the 1979, 1989, and 1999 Constitutions. However, if the experience of the actual practice of local government in Nigeria is examined, it will be discovered that there have been deviations from most of the basic features. Ezeani (2012) continues:

For example, the rules of democracy and representativeness had been widely violated, especially during the military era, when the local governments were run by councils whose members were not elected. Currently in Anambra state,

local governments are run by caretaker committees whose members were handpicked by the Governor of the State. So, what actually exists in a state like Anambra could be called local administration.

Furthermore on the Anambra case, Eze & Muanya (2013), argue as follows: The allegiance of the council's bosses and their committees in this era of transition has always been to the powers that appointed them into offices. This explains why it has never been in their agenda to either initiate any development projects that will impact positively on people's lives or create an enabling environment for the staff to contribute meaningfully to the development of the local government areas.

It needs to be further highlighted that basically, there is nothing dysfunctional about local administration, if constitutionally entrenched and properly practiced. Besides, argues Eze & Muanya (2013), it has been noted by Ezeani (2004) that the local government system is a product of decentralization. He avers that decentralization means the transfer of authority on a geographic basis, whether by de-concentration (i.e. delegation) of authority to component units of the same department or level of government or by devolution of authority to Local government units or special statutory bodies. He also identified various forms of decentralization to include; de-concentration, delegation and devolution. According to him, deconcentration entails transfer of administrative responsibilities and decision-making discretion from the Central Government or Headquarters, to the field and/or Local Administration (Eze & Muanya, 2013).

Delegation on the other hand implies the transfer of decision-making and management authority for specific functions to semi-independent agencies, such as public enterprises, regional planning and area development authorities, and special project implementation units. Ezeani (2004) viewed devolution as the most extreme form of decentralization, which involves power delegation and delegation of responsibilities over specific functions by the Central Government, to the Local Government. Devolution in this sense is concerned with reciprocal, mutually benefitting and coordinate relationships between central and local governments. According to Ezeani, devolution connotes local institutions, which are separated and isolated, from other levels and are likely to be important developmentally. He summed it all up by reaffirming that devolution is an attempt by the federal or central government to transfer powers and responsibility to lower units of government, which are granted substantial but not complete autonomy (Eze & Muanya, 2013).

Between local government and local administration therefore would be found an overlap of intents and empirical matters, on the issues of decentralization, delegation, deconcentration and devolution. The point at issue in this essay is thus not about the superiority of local government over local administration, in matters of statecraft. The point rather is about the disparity between intents and reality, between constitutional provisions and adherence to the spirit and letter of that provision. The issue is about the preference for impunity over the rule of law, when it comes to how local affairs are conducted in the Nigerian polity. Akpan (2011) therefore explains that whereas local administration could be a permanent or ad-hoc agency of the federal or state government in tackling aspects of the local matters, local government is a separate tier of government that enjoys some reasonable measures of autonomous powers and

with elected representatives as officials, especially in a democracy. Hence, the essence of local government or local administration may be summed up as service delivery at the local level.

Okeke & Eme (2011) have described local governments as veritable agents of service delivery. Irrespective of the nomenclature of service delivery therefore, what the people need at the local and indeed at every other level is development. Maddick (1963) cited in Ezeani (2012) thus states that local authorities provide the opportunity for local people to participate in local decisions and local schemes, within the general national policies, and to act above all, as local centers of initiative, conducive to development. Furthermore, citing UNDP (2004), Onyishi (2011) opines that the basic purpose of development is to enlarge human freedoms. Between local government and local administration therefore, what is truly required is a service delivery paradigm that guarantees the enlargement of human freedom. The type of freedom in focus is not limited to freedom of speech / association and all the other human rights. It entails and extends to freedom from hunger and starvation and freedom from the menace of diseases.

### **CONCLUDING REMARKS AND RECOMMENDATIONS**

Findings of this study indeed indicate that the local government system in Nigeria, in terms of the relationship between design and practices compares poorly with the other developmental models examined in the study. It is strongly held in this study that local government, not local administration, is more in tune with the democratic ambitions of the Nigerian State. It is in this specific context that it is in this study strongly believed that local governments convey more forcefully, the hopes and aspirations of Nigerian citizens; more than local administration. It is therefore concluded in the study that to bring about a high degree of effectiveness in the local government system in Nigeria, the concept and practice of local government, as different from local administration, have to be strongly reinstated. The recommendations of the study accordingly align with the democratic desires of Nigerian citizens, as the paper finally makes the following recommendations:

In the first place, it should be clearly and specifically spelt out in the Constitution of Nigeria that what the document provides for is local government and not local administration. Further to this recommendation, it shall also be clearly spelt out in the constitution, that it will constitute an impeachable offence, when local government elections are not conducted in a state; three months after the tenure of the previous council had expired. Furthermore, it is recommended for inclusion in Nigeria's local government practices, a constitutional provision whereby on annual basis, the elected Chairman of each local Government Council would present to the people of the Local Government area, a State of the Local Government Affairs Address.

The above recommendation on State of Affairs Address will ensure that the Chairman and his council continue to recognize that power actually belongs to the people and not to some government functionaries at the state or federal level of government. Attendance and participation at the State of Affairs Ceremony will be open to all the citizens of the Local government Area. After all, as highlighted by Ogunna (1996), local government is designed to promote local democracy. And indeed, if these recommendations are adopted and strictly implemented, it will no longer be in doubt, if the local government system in Nigeria, is to be considered in practice, local government or local administration.

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