

An Analysis Of Militating Factors Against Local Government Administration In Nigeria

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Abstract

Stakeholders in Nigeria's democracy gathered in Enugu in 2012 to ponder on the issues and circumstances that have bedeviled local government since the advent of the Fourth Republic. The three-day conference on how to rediscover the local councils organized by the Association of Local Governments of Nigeria (ALGON) at Nike Lake Resort, Enugu lived up to its billings. With resource persons drawn from leading higher institutions in Nigeria including inputs from eminent Nigerians and persons from the United States, Canada and Mexico among others. If the ideas canvassed at the parley were implemented the local councils, in no distant time, will become an oasis of development. A common strand of thought ran through the avalanche of papers and speeches made at the forum: The local councils must be granted fiscal and political autonomy, and democratised to enable them perform their onerous roles of providing needed services at the grassroots to improve the lot of the citizenry. However, the speakers differed on the approach. While some urged direct allocation to the councils and abrogation of the controversial state-local government joint account, some opposed the idea, saying it might be counter-productive in the long run. There were also suggestions that the councils should boost their internal revenue generation and depend less on statutory allocation. Other suggestions include removing or retaining the local councils as the third tier of government. This paper seeks to add its voice on the need for effective functional environment for local governance by appraising militating factors against local government administration in Nigeria.

Keywords: Local Government, Development and Accountability, Corruption, Democratization and Reform

Introduction

Social and economic development should enable a people to realize their full potential build self-confidence dignity and fulfillment. It should free people from the evils of want ignorance, deprecation and exploitation; and correct exiting imbalances and injustices in the society. This people-centered vision of development involves the full utilization of all available material resources and the full participation of the various people in the community for their own development. The necessity for the full participation of the people derive from the experience which shows that there is a greater chance of success of institutions-provide for popular participation local leadership and decentralization of authority, (World Bank 1975;90-98).

Governance in Nigeria is based on a three-tier political structure, namely, Federal states and Local Governments. The local government structure is known to have the weakest capacity to initiate and manage rural development programmes due largely to inadequate human resources. Consequently available local government resources for rural development are inefficiently utilized for the purposes intended thus leaving the people in the local communities in a state of perpetual poverty and under-development. Most communities lack the basic amenities to function at the minimal human level. Functional schools, health care centers, good roads, clean drinkable water, small-scale industries, etc. are not available in most communities.

Based on the Local Government Reform of 1976, the Local Governments became the third tier of Government. The expectation was that as a third tier of government it would act as a catalyst and aid rapid and sustained development at the grass-roots level. The number of Local Government Areas (LGAs) had also risen steadily from 301 in 1976 to 774 currently listed in the First Schedule, Part I of the Constitution of the Federal Republic of Nigeria, 1999, yet the clamour for the creation of more LGAs has not abated. Indeed, as of date, a total of over 500 new LGAs are in the process of being created by various State Governments. At the same time, the number of States has tripled from twelve to thirty-six since January 1976 without addition of land area to Nigeria.

However, what we have witnessed is the abysmal failure of the Local Government system. It is on record that at no time in the history of the country has there been the current level of funding accruing to the Local Governments from the Federation Account, yet the hope for rapid and sustained development has been a mirage as successive Councils have grossly under-performed in almost all the areas of their mandate.

The fundamental nature of these issues and other critical considerations, which hamper best practices and efficient utilisation of available resources in governance convinced former President Olusegun Obasanjo in 2003 of the need for the institution of a Technical Committee that would review the structure of governance in Nigeria and make appropriate recommendations for the review of the 1999 Constitution of the Federal Republic of Nigeria. The Council of State and the National Assembly were also in an agreement that there is need for Nigeria as a country to take our destiny in our hands and move the nation forward.

The Technical Committee according to him will consist of experts on local government affairs drawn from all the geo-political zones of the country. The Terms of Reference given to them include:

1. Examine the problem of inefficiency and high cost of governance with a view to reducing costs and wastages at three tiers of Government;
2. Review the performance of Local Governments within the last four years and consider the desirability or otherwise of retaining the Local Government as the third tier Government. In that regard consider among other options, the adoption of a modified version of the pre-1976 Local Government system of government;
3. Examine the high cost of electioneer campaign in the country and consider among other options, the desirability whether political parties, rather than individual office seekers, should canvass for votes in elections; and
4. Consider any other matter, which in opinion of the Technical Committee germane to the goal of efficient structure of governance in Nigeria.

The Council of State agreed, during deliberations today, that these issues are weighty and must be pursued vigorously as they touch the very important aspects of our national (Erne, 2014:2).

He also hinted that he had set up a Committee under the Secretary to Government of the Federation to work out a programme of implementation for all the issues raised in his inaugural address and that of the National Assembly. The essence of this paper is to explore the militating factors that inhibit proper functioning of local government and ways of addressing them. To achieve objectives, the first segment of the paper explains conceptual issues. The second section addresses the functions of local government, discusses the theoretical framework of analysis for the study of government at the government level. The fourth section examines the way forward and concludes the paper.

Contextualizing Local Governance

The term local government can be defined in several ways. First, it can be simply as government at any level lower than the central authority in a given state. When this definition is applied to a federal system of government it creates difficulty, because sub-national units in a federal state are local governments. For example, in Nigeria we do not consider state governments to be local governments even though they are lower than the national authority. In line with the above, Barber (1974) and Hill (1974) defined local government as: An instrument of national or state government which unites people in a defined area whose functions are complementary to those of the central government and works in the interests of the local residents for the satisfaction of their needs. Whalen, (1970:312) posits that:

Subject always, at least in Anglo-American tradition to the limitation of common law such as the test of reasonableness.

Whalen (1970) thesis was supported by G.S. Blair who likened the institution to any organization or agency which has:

A resident population occupying a defined area that has a locally authorized organization and governing body; a separate legal entity, the power to provide certain public or governmental services, and a substantial degree of autonomy adding legal or actual power to raise part of its revenue (Blair, 1977:14).

Akpan (1972) sees local government as: The breaking down of a country into small units or localities for the purpose of administration on which the inhabitants of the different units or localities concerned play a direct and full part through their elected representatives who exercise power or undertake functions under the general authority of the national government. According to the International Encyclopedia of Social Sciences (1972:459), Local Government is:

A political sub-division of national or regional government which performs functions which in nearly all cases receive its legal power from the national or regional government but possess some degree of discretion on the making of decisions and which normally has some taxing powers.

According to the Federal Government (1976:1):

Government at the local level...established by law o exercise specific powers within defined areas (and) to initiate and direct the provision of services and to determine and implement project so as to complement the activities of the state and federal government in their areas, and to ensure that local initiative and response to local needs and conditions are maximized.

Among the scholars is Ola (1984), who defined local government also as:

A political sub-division of a nation or state, which is constituted by law and has substantial control of local affairs including the powers to impose taxes or to exact labour for prescribed purposes.

Also, local government can also be defined as government at the grass root level, meaning that it applies only two rural communities. This definition, however, excludes metropolitan/urban local governments. Again, a broader definition of local government states that it is an organization with limited powers exercised by a local council usually formed by members of a small community with approval from the national government or authority to make and enforce public policies or decisions for the citizens of the community (Gboyega, 1990:63).

Okoli (1985) captures the apparent lack of precision in the use of the term “local government” which is equally used interchangeably with “local administration”. Ademolekun (1983) partially solved this puzzle when he views local administration as a poor relation to local government. He goes on to conceive local administration as arising where a local government lacks substantial authority independence or autonomy and does not have legal personality.

The definitions above bring out four key characteristics of local government. First, local government officials are elected. Regular elections at specified period of time is a feature of local government. In fact, the main distinguishing characteristic that differentiates a local government from a local administration is the fact that while the officials of the former are elected those of the later are appointees of the center to implement policies of the center. Second, the local government unit must

have a legal personality distinct from the State and Federal Governments. Thirdly, the local government must have specified powers to perform a range of functions and finally, it must enjoy substantial autonomy. Local government autonomy means that the local government is elected at the local level and operate independently of the State and Federal Government. The local government is no longer an appendage or field office of the State government. The characteristics of local government autonomy include among other things ability to make its own laws, rules and regulations; formulate, execute and evaluate its own plans and the right to recruit, promote, develop and discipline its own staff.

These simple ranges of definitions obscures wide variations in local government systems and operational patterns, and it should be supplemented by a system of classification for both description and analysis. This is because in the past, local government has been classified largely in terms of their formal structures. Thus, in the United States, great stress was laid on the question of whether a local government had a mayor with broad executive powers or a mayor who was little more than a presiding officer of the city councils; whether the council members divided among themselves administrative responsibility for the several aspects of local government (the commission type); or whether the council employed a professional executive agent to administer the city's affairs and be accountable to the council (the city-manager plan). Similar emphasis was placed on form and structure by authors attempting cross-national comparisons of local governmental systems.

Theoretical Framework of Analysis

Local government scholars have evolved three approaches for the study of the local government system. The exponents of "Democracy and Accountability School of local government;" perceive the local government system in its democratic character. To them, procedures in it should be open, transparent, verifiable, result-oriented and accountable. Local government is viewed as a training ground for political leaders. Thus, it is believed that career politicians can use the local government as a lever for acquiring political training and leadership qualities by first contesting as councilors at the local government area. That scope of apprenticeship may have been widened with the introduction of presidential system the council level. The implication is that councilors who have been exposed to the 'know how' of law making at the council level may proceed to the Houses of Assembly, Representatives and Senate. Lord James Bryce, who is a supporter of this school of thought, had this in mind when he remarked that local government is that school of democracy and the best guarantee for its success is the practice local self-government (Ezeani, 2004).

In the same vein, John Stuart M declared that local government is one of the free institutions which provide political education especially the public education of citizens using the instrumentality of the council administrate This political education induces participation the council affairs by people who are rem-; from the state and federal governments (Bart. 1974).

Related to the democracy school thought is the "accountability and control school of thought". When locals file out to cast their votes for the chairmen and councilors, they participating in council affairs. It is incumbent on the local electors to elect men of pro ability, intellect and competence. If they elect the right people, there will be development the council. If they elect the right people, there

will be development in the council. If they elect fraudsters, they suffer under-development. However, the thesis of this theory hinges on 1 to use the voting right effectively as a weapon of choice, change and rejection of leadership in polity is the sole pre-occupation of this school thought. It is a free choice with lots implications for the citizens and the local pc For example,if corrupt men and women elected, they will drain the council treasury. Ajayi said;

If inexperienced people are elected, they will hinge their lack of performance or learning on the job. If competent people and men and women of honour and integrity are elected, they will deliver the dividends of democracy to the people (Ajayi, 2004:9).

The third is the “Responsibility S. of thought”. As a structure very close to the locality, local councils should serve as essential instrument for the performance of basic se which could be best administered locally, based on the intimate knowledge of the needs, conditions and peculiarities of the areas concerned. Among these are chieftaincy, marriage, markets, local schools, primary health care and refuse disposal. Owing to lack of expertise, working tools and enormity of the challenge, refuse disposal and construction of markets, have been taken over by some state governments.

However, Professor Ekeh attested to other specialized functions of the councils, which account for its peculiarity. These include sanitary inspection, town planning, water supply and market management by Town Councils, and local security, which is now prohibited by the constitution. Before their derailment, old town and city councils performed these functions creditably and with minimum difficulties. The personnel of such high profile town governments as Lagos Town council rivaled that of the central government in the quality of employees they attracted. Thus, such giants in the history of Nigerian public service as Dr. Ladipo Oluwole and Chief Adegbeji Salubi were employees of the Lagos town council in the 1930s and 1940s (Eme, 2011).

The three schools provide a further linkage of ideas. The people elect, retain and fire councilors and chairmen, thereby giving expressions to the democratic character of the councils. The elected men perform clearly stated functions and they should be accountable. This makes them, to earn the respect of the local polity which may decide to send them to the state or federal in furtherance of their services to the people.

How are operative content accorded these linkages? The democratic foundation of the councils in this dispensation is doubtful. Ayodele pointed out that councils have become working tools in the hands of ambitious political leaders. Since chairmanship and councillorship candidates run on the platforms of competing political parties for elections, there is the tendency to impose them on the councils. Thus, those invariably elected are the candidates of political barons and godfathers, and not essentially the candidates of the people. As bastions of corruption, councils have often disappointed the people by their sheer ineptitude and lack of initiative. Council chairmen are usually overwhelmed by the resources at their disposal, although the funds are not enough, if they are development-conscious (Eme, 2014). To buttress this, a report by the Jide Jimoh House of Assembly Committee on Local Government appropriation in Lagos state had harsh words for many council chairmen, who demonstrated lack of competence, to the detriment of the people they were elected to serve (Ovaga, 2009a).

Experts who have lamented the window dressing approach to council administration stressed that the love of money, rather than the desire to serve, has been the motivation for jostling for chairmanship and councillorship seats at the councils. The poor qualities of budgeting and project implementation by the councils attest to the poor standard of the councils across the country. Many chairmen and councilors lack the training to know these technicalities (Eme, 2014).

1976 Local Government Reforms, 1999 Constitution and Functions of Local Government Councils in Nigeria:

From the various explanations and definitions of local government analyzed above, the purposes of creating local government as enumerated above could be said to have been the reinforcing factor that gives local government a serious strength and vitality that makes it an indispensable institution in bringing government and democratic participation to the grass roots level hence “local government are to government what basic tissues are to human body (and), without them, government would have no vitality” (Blair, 1977:14).

In 1976, the Federal Government in collaboration with the state government embarked on extensive reforms of local government. The objectives of the reform was outlined as follows:

1. To make appropriate services and development activities responsive to local wishes and initiatives by devolving or delegating them to local representative bodies.
2. To facilitate the exercise of democratic self-government close to the grass roots of our society and to encourage initiative and leadership potential.
3. Mobilisation of human material resources through the involvement of members of the public in their local development, and
4. To provide a two-way channel of communication between local communities and government (both State and Federal)

For the first time in the history of local government in Nigeria, a uniform system was developed for the whole country. According to the then Chief of staff Brigadier Shehu M. YarAdu’a in his forward to the Guidelines for Local Government Reform (1976):

In embarking on these reforms, the Federal Military Government was essentially motivated by the necessity to stabilize and rationalize Government at the local level. This must of necessity entail the decentralization of some significant functions of state governments to local levels in order to harness local resources for rapid development (Guidelines for Local Government Reforms, 1976).

Unlike previous reform measures, which were highly restricted in scope and range, the 1976 reforms conceptualized local government as the third tier of government operating within a common institutional framework with defined functions and responsibilities. As the third tier of government, the local government gets statutory grants from Federal and state governments, and is expected to serve as agent of development especially in rural areas. According to the 1976 reform, 75 percent of members of the council are to be elected through the secret ballot on a no-party basis under the direct and indirect systems of election. The remaining 25 percent are to be nominated by the State

government. Following the reform, the Federal Government in 1977, allocated 5 percent of federally collected revenue to local government.

The intentions of the 1976 reform were debated by the constitution drafting Committee and the Constituent assembly in 1978. The result is that the 1979 constitution reaffirmed the development function as provide for in section 7, subsection 3.

It shall be the duty of a local government council within the State to participate in economic planning and development of the area referred to in subsection (2) of this section and to this end an economic planning board shall be established by a law enacted by the House of assembly of the State (The Constitution of the Federal Republic of Nigeria 1979).

According to the Fourth Schedule, Section 7 of 1999 Constitution of the Federal Republic of Nigeria, the following functions are allocated to local government councils Nigeria:

1. The consideration and the making recommendations to a state commit on economic planning or any sin body on:
 - i. The economic development the state, particularly in so far th areas of authority of council and of the state affected, and
 - ii. Proposals made by the commission or body;
- b. Collection of rates, radio and television licences;
- c. Establishment and maintenance cemeteries, burial grounds and homes for the destitute or infirm;
- d. Licensing of bicycles, trucks (other mechanically propelled trucks) canoes, wheel barrows and carts;
- e. Establishment, maintenance regulation of slaughter houses, slaughter slabs, markets and motor parks;
- f. Construction and maintenance of streets, street lightings, drains and public highways, parks, gardens, spaces, or such public facilities as be prescribed from time to time to time by the House of Assembly of a state;
- g. Naming of roads, streets and numbering of houses;
- h. Provision and maintenance of conveniences, sewage and refuse disposal;
- i. Registration of all births, death marriages;

j. Assessment of privately owned or tenements for the purpose of levying such rates as may be prescribed House of Assembly of a state; and_

k. Control and regulation of

i. Out-door advertising hoarding,

ii. Movement and keeping of all description,

iii. Shops and kiosks,

iv. Restaurants, bakeries a: places for sale of food to the public,

v. Laundries and Licensing, regulation and control of the sale of liquor.

(2) The functions of a local government shall include participation of such council in the Government of a state as respects the following matters:-

a. The provision and maintenance of primary, adult and vocational education;

b. The development of agriculture and natural resources, other than the exploitation of minerals;

c. The provision and maintenance of health services, and

d. Such other functions as may be conferred on a local government council by the House of Assembly of the State (Federal Republic of Nigeria, 1999:150-151).

Local governments from the above theses perform several functions which include: law making and enforcement; revenue generation; provision of social services promotion of development including self-help projects; and the promotion of national unity. These functions are briefly discussed:

Law-making and Enforcement

Local governments make laws that are applicable to areas under their control. These laws are referred to as bye-laws which exist alongside the laws of the state but which should never violate them. Once passed, bye-laws are enforceable in courts and are expected to guide the activities of the people in order to maintain peace, order and good government in local communities. An example of a bye-law is the environmental sanitation law introduced by the Maiduguri Metropolitan Authority to regulate refuse disposal in 1986. anybody caught throwing away rubbish in a public place by the Task Force on Environmental Sanitation in Maiduguri can be charged to court for this action.

Revenue Generation

Local governments are created in order to generate revenue from local sources in order to supplement revenue provided by the state government. It is with such revenue that some of the social services for the localities are made possible.

Provision of Social Services

Local governments provide essential services to the people. In Nigeria for example, they run the affairs of elementary and primary schools and they also provide sanitation, health, maternity and dispensary services to members of their localities.

Promotion of Development Including Self-help Programme

Apart from using the revenue generated from local sources and the grants provided by the state government to provide capital works and services, local governments also encourage people to help themselves. This exercise is called a self-help project or programme. All local governments have officers that handle community development activities.

Promotion of National unity

Local governments help in maintaining law and order which creates peace in local communities. Once there is peace in all the local communities, it follows that there will be peace at the national level. A peaceful condition in a state helps in building national unity.

Militating Factors against Functional Local Government Administration in Nigeria

The factors that account for poor functioning of local government will be in themes:

High Cost of Recurrent Expenditure and Intervention by State Governments on Local Government Operations

The failure of the local government system in Nigeria is largely attributed to the heavy spending on recurrent expenditure with little or nothing devoted to capital projects. Intervention over the local governments' financial operations by the higher tiers of government is another major factor militating against effective local government system in Nigeria. There have been various forms of protests by Nigerians against the interventions. For instance, Olamilekan (2006:13) was not comfortable with such interruptions by other levels of government. He noted that the control of the revenue accruing to local governments by both federal and state governments was not indicative of a genuine desire to strengthen the local governments or meet the high expectations of the people. It is known that these tiers of government actually fund the local government system in Nigeria, but regrettably, they often turn round to collect a chunk of the allocations stipulated for the provision of rural needs. This is evident in one of the directives by former Governor Oserheimen Osubor of Edo

State, that all councils should pay one million naira each to the state government account (Otabor, 2010:13).

This directive was irresistibly earned out without any official paper issued to the payees, acknowledging the receipt of such money. In addition, it is worrisome to note that the federal government intervenes indirectly. For instance, there are some federal agencies located in all the local government headquarters' premises. They are being directed to collect funds from their host councils for their up-keep and conduct of state and national programmes. The last census and the most recent general elections in Nigeria are cases where certain logistics for the exercises were provided by the councils from the same allocations given by the same federal government.

Non-adherence to due process by actors in local government affairs

Another important militating factor against the effective local government system in Nigeria is the utter neglect and deliberate circumvention of rules and regulations guiding the system's operation. These measures are provided to ensure proper accountability in the system. It is provided in section 17.10 of the Revised 2009 Model Financial Memoranda for Local Government that all transactions costing over N50, 000.00 must go to open tender contract (Federal Republic of Nigeria, 2009:138). In other words, the executive council of each local government is authorized to approve any job costing over N50, 000.00, while anything less than the amount should be approved by the chairman alone. Contrarily, local government functionaries quite often devise counter measures to circumvent due process. For instance, in a situation where a job to be done is expected to cost over N50,000.00, it (job) is often split into units less than the spending limit, contrary to section 17.8 of the same Financial Memoranda (FM) which states that, "it is forbidden to split jobbing and local purchase orders in order to circumvent the jobbing order Form LGT 65 and local purchase order Form LGT 66, where their total cost does not exceed N50,000.00" (Federal Republic-of Nigeria, 2009:137). The apparent disregard for due process and laid-down rules by the local government functionaries is a deliberate attempt to defraud the council. This is evident in the written petition against Ovia North East Local Government council, Edo State by Ovia North East Forum. Sequel to this, the Chairman of the council was invited to appear before the House of Assembly Ad-hoc committee set up to investigate the petition. During the investigation it was discovered that instead of using contract procedure to grade the five kilometer Okamu Road at the cost of N26.5 million, direct labour was adopted (Otabor 2010:13). This act contravenes the local government financial regulations, which states that no local government authority has the power to engage any kind of job exceeding N500, 000.00 without the approval of the state government. This act is common among most local government councils in Nigeria.

Poor employment mechanism and procedure

The spoils system with its attendant, undesired consequences, which was accepted part of American federal government through the nineteenth century is being practiced in a disguised and diluted form in the present local government administration in Nigeria.

This problem has been noted by Orewa and Adewumi (1983), Nwosu (1985), Onah (2005) among others. Nwosu (1985), for instance, noted that at the inception of democratic local government

system in the former Eastern region of Nigeria in 1950, early recruits into the local government service were mainly “Sons of soil”, party stalwarts, or relations of course. As Orewa and Adewumi (1983) rightly stated, recruitment practices based on patronage, have created problems of redundancy in local governments where stern measures termination of appointment and suspension staff are rarely contemplated.

Furthermore, most Chairmen, Caret. Committee members and Sole Administrators recruit and place their relations, friends political sympathizers or party members without due regard to rules and regulations or in keeping with manpower requirement. Another important personnel problem of local governments is regards to staff training and development, training and development are aimed at imparting the necessary skills, knowledge and attitudinal change needed by employees for effective optimum performance on their jobs, importance of staff training and develop cannot therefore, be over-emphasized.

For instance, an elected chairman comes into an office and appoints his political loyalists who in various capacities will serve as secretary chief of staff, assistants of different capacities and of course advisers who are there only to collect their stipends at the end of every month. Their appointments terminate immediately the chairman’s tenure expires. In other words, these political appointees come and go with the chairman who appointed them (Ovaga, 2010). The implications of this ugly practice is that it does not only cause chaos in the system but keeps the career local government staff redundant because, these intruders and unqualified persons will virtually take over almost all the duties meant for the bona fide workers of local government. The most worrying aspect of this undesired act is that some chairmen leave offices at the end of their tenures with some important records, thereby creating a scenario whereby their successors find nothing to lay hands on for a take-off. This is spoils system which is applied to the systematic filling of low-level posts by one’s own appointees as a reward for political loyalty, such as helping in an election (Lain and Alistair. 2003:508).

In an effort to address the problem of manpower training and development in the local government system in Nigeria, the Federal Military Government in 1979 introduced three university-based Departments of Public Administration: Ahmadu Bello University, Zaria, University of Nigeria, Nsukka, and Obafemi Awolowo University, Ile-Ife. One defect of the federally-sponsored University-based local government training programme according to Onah (1995:114), is their inability to provide management training in areas of operations other than finance and general administration. Consequently, the dearth of qualified professionals such as engineers, architects, accountants, doctors, nurses, agricultural extension workers etc; continues to militate against effective performance in most local governments in Nigeria. Additionally, the failure to integrate a good number of trainees into the system by offering them commensurate posts often make them to be grossly underutilized (Obi, 2002 & Ezeani, 2002).

The insecurity of tenure of Local Government Councils in Nigeria

The determination of tenure of office of political actors of local government councils became an issue of dispute between the state and local governments. Local government as a tier of government has been hampered by the instrument of the state in determination of the tenure of their political

officers. On several occasions, the Edo, Imo, Ondo, Rivers states, etc terminated the tenure of the democratically elected councils and replaced them with members of ruling political party in the state, as care-taker committees. In most cases, the state government even resolves not to conduct elections into the councils, as in the case of Anambra state for over ten years. This is inimical to democracy and development of the local government system in Nigeria. The choice of leadership in the council is no longer the decision of the local people, but the decision of the political party in power through the State House of Assembly.

Abuse of Local Government funds by the State Government

The issue of who controls the local government funds has been a great concern to the local government autonomy and democracy. Various state governments take advantage of the provisions of the 1999 constitution to abuse local government funds through the establishment of Joint Account and Allocation Committee (JAAC) headed by a state government representative. The JAAC deprives the local government the powers to control their funds. In most cases, through the instrument of the JAAC, the local government is starved of fund for her democratic activities. The effect is that the local government is now dependent on the state government's command, and this affects local government democratic activities.

The influence of Local Government Service Commission on Local Government

Today, the Local Government Service Commission (LGSC) controls the local government personnel services, while the LGSC is the appointee of the state government. The state governments use the commission to regulate local government policies, and sometimes frustrate local government policies including democratic activities by deploying the incompetent caliber of staff to a particular local government, resulting to poor implementation of the democratic policies of the councils. Sometimes, the LGSC even take over the political control of the councils, as in the case of Delta State where the Heads of Personnel Management (HPMs) were mandated by the LGSC through the Delta State House of Assembly to run the affairs of the councils from May 2011- November, 2012, following the expiration of the tenure of the elected councils in the state in 2011. Worst still, the HPMs were replaced with another twenty (20) member Caretaker Committee per Council. The committee members were selected by the state government on approval of the State House Assembly from members of the ruling political party- PDF to run the affairs of the councils from November, 2012. The effect is that democracy in local government is crucified on the altar of the LGSC and State House of Assembly in Delta State in 2011-2012. This results to democratic deprivation of the local people in the state (Ovaga, 2009b).

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 governments in Africa have 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 in reality operate like field administrative units of the central governments or, worse still, exist as parallel institutions to the government's field administration, controlled by both the central and field units.

The heavy dependence of local governments in Nigeria for instance on statutory allocation from the federal government waters down the autonomy of the former. It puts local government at the mercy of the federal government. Furthermore, successive Nigerian governments (both state and federal) have interfered in the actual functioning of the local governments. 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 councils were disbanded by the military government of General Abacha and replaced with Caretaker Committees.

Also the financial autonomy of the local governments has on many occasions been confiscated by the state governments. This is currently the case in Nigeria where some state Governors confiscate federal allocations to local governments and give whatever amount they like to the Chairmen to run their local governments.

The Conduct of Local Government Election

Local government elections within period were conducted by the State Independent Electoral Commission (SIEC). The state government appoints and controls SIEC. The impact is that in most cases, the local government elections are conducted based the dictates of the party in power in the state and not to satisfy the democratic will of the local people. The political party in power uses state power to select the local government political actors through the use of rigging and abuse of electoral processes, thereby depriving the local people the opportunity of achieving democratic representation in the government (Eme, 2011).

The Problem of Corruption

Corruption remains a major problem which has constrained local government especially in developing countries from contributing meaningfully to the upliftment the standard of living of the local people. This problem is manifest in almost every local government area in Nigeria. It is rife in the areas of revenue declaration by collectors, to aware contracts, and embezzlement of local government funds by Chairmen, counselors and other officials of local governments.

Financial Problems

A major problem confronting local governments especially, in developing countries is inadequate finance. There is no doubt that ability of the local governments to perform their constitutionally assigned functions depends the funds available to them. This point succinctly put by Akpan (1974:5) when he argued that the bottom line in judging effectiveness of local bodies is the amount funds at their disposal. He notes that success of a local authority is often measured in terms of its ability to provide services to public. These services cost money”, which local governments do not have sufficiently.

The financial crisis of most governments in developing countries is worsened by the fact that they are located in the rural areas. As a result of rural poverty, the unable to generate enough internal revenue. They, therefore, rely mainly on statutory allocation from the Federal government which is usually inadequate for any meaningful development activity. As aptly stated in Local Government Year Book (1998:18):

In the area of finance, local government has not demonstrated the desire for autonomy in that most of them depend on the federal government to survive. Apart from the fact that this source dictates the fluctuating fortunes for the local government, it is more regular and constitutes more than 90% of total revenue of most local governments in the country. From time to time, official pronouncements have called upon local governments to improve the internally generated revenue without creating the enabling environment to make this possible...

The inadequacies of operational and capital funds constitute a set-back on local government implementation of regular services and investment programmes. Consequently, most local governments can only pay workers salaries and take care of recurrent expenditure. In the case of Nigeria, the financial crisis in the local governments has been worsened by the failure of the Federal government to recognize the new local governments created by some states. The State Governors now use part of the statutory allocations meant for the old local governments to pay the salaries in developing countries of staff of the newly created ones, which for instance is referred to as “development centres in Enugu state.

Recommendations

There is need for the councils to reduce the growth of public expenditure. It has become habits in most public offices for chief executives to abandon some on-going capital projects being carried out by their predecessors. These projects were quite often abandoned for new ones. The result of this attitude is that all the allocations and human efforts already put in such projects were wasted and unrecoverable. Ask question why such uncompleted projects should be abandoned for new ones. The usual answer is that, if such uncompleted projects inherited by the incumbent chief executive were to be executed fully, then the credit would rather go to the predecessor who started the projects instead of the incumbent who completed them. What an act of selfishness for an incumbent to think myopically? Has he forgotten that all is done for the benefit of the people (Ovaga, 2010)?

The financial management in the local government system by the officers of the councils has a big question mark. This is because any revenue realized or allocated to the council without proper management is as good as wasted. Proper management of funds must need competent and qualified professionals. The issue of applying federal character principle in the management of funds in the local government system in Nigeria, whereby statutory officers are appointed on local government basis, makes mockery of accounting ethics. What happens in most local governments is that each local government must be represented in the appointment of statutory officers, irrespective of qualifications and seniority. A situation where a junior officer turns round to become the boss and senior to his / her former boss, all in the name of federal character, is apologetic. This kind of practice breeds mediocrity in the system and mismanagement of public funds, and this will never augur well with the aim with which the local government system was established.

It is disheartening to note that up till this present dispensation, most of the local government councils in the country are yet to computerize their financial and administrative systems. It is no longer a hidden fact to see some computer specialists fully employed by the local government authorities loitering about the council's premises, simply because there are no jobs for them. Is it not a waste of manpower and resources to have employed such professionals, when they do not have computers to engage their services? On the other hand, there are places where computers are installed but there are no qualified personnel to operate them. There is a big need for capacity building in local government system. It is equally important that people are allowed to participate in certain programmes being executed in their own areas. Unless the people participate actively in a programme, they are not likely to have a feeling of fulfillment, as full and effective participation leads to self-fulfillment (Okoli, 1982:67).

The practice of spoils system in disguise in Nigerian local government system should be condemned by all and sundry. It has brought bad image on the system and if it is not seriously checkmated, local government system in Nigeria will definitely collapse. The importance of organizing credible elections in the local governments cannot be overemphasized. This is because voting the right persons instead of selection into public offices, will no doubt minimize the illegal removal of local government funds through payment of homage and loyalty to godfathers, who public officers believe have played major roles in winning their seats.

Finally, the implementation process of the reforms in the local government should be explicit to avoid doubt and misconception of the underlining principles of the reforms. This will enable the local government enjoy some degree of autonomy from other tiers of government and exercise adequate powers for effective democratic activities and governance in Nigeria.

Conclusion

Obviously, the local government in Nigeria has experienced several reforms with the intention of empowering the councils with necessary powers for effective democratic governance, but the implementation process created more challenges than prospects for the democratic governance of local government. These challenges have in several measures contributed to democratic set-back to the local government administration in Nigeria. In most cases, the local governments were reduced to local administration, thereby encouraging the autocratic intensions of the state actors, and depriving the local people the access to choice of leadership in the government.

Local Government councils were established in Nigeria to ensure that the needs of the rural people were adequately provided for their comfort. It was observed that local governments throughout the country are failing in their statutory duties, and this has generated hue and cry from different quarters against their inability to provide those needs as entrenched in the 1999 Constitution of the Federal Republic of Nigeria. In this regard, local government councils in Nigeria should therefore sit up and amend their ways so as to redeem their battered image.

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