EFFECTIVE LOCAL GOVERNMENT SYSTEM IN NGERIA AMIDST THE CRAVE FOR ADVANCED TECHNOLOGIES: THE DIVIDE*

Abstract

The Nigerian Local Government Councils have been accused (and rightly so) of being redundant, ineffective and unserious with his constitutional roles as enshrined in the section 7 and 4th schedule of the Constitution of the Federal Republic of Nigeria, 1999 (as amended). Regrettably, the usefulness of this term of government is now also being threatened by the emergence of modern/advanced technologies. The constant reliance on drones, robots, automated teller machines and artificial intelligence appears to be eroding the usefulness of the Nigerian Local Governments. But what becomes the fate of the Nigerian Local Governments and its quest to provide effective services to natives at the rural areas in this technology drive era? This and many more, form the discourse of this paper.

Keywords: Local Government, System, Advanced, Technologies, Divide

1. Introduction

Local Government is the smallest tier of any government that is saddled with the tasks of providing goods and services to natives at the grass root. Nevertheless, most Nigerians constantly question the usefulness of this tier of government due to its failure to effectively/efficiently meet the needs of natives. For instance, in most Nigerian Local Government offices (if not all), files are still stored manually and services rendered using the traditional means due to high illiteracy rate, non-availability of relevant modern technologies (which include; drones, robots, hi-tech computers and artificial intelligence). These deficiencies on the part of the Nigerian Local Government Councils undermine its productivity and usefulness. With the craving for advanced technologies and its adoption in some key sectors, some have begun to question the usefulness of this tier of government in service delivery at the grass root. While it is undisputed that, the adoption of advanced technologies in rendering of services at the grass root will enhance or improve the quality of services to natives, there is need to appreciate relying heavily on advanced technologies in rendering of services come with its own consequences.

This work made appraisal of the usefulness of Local Government System in Nigeria and inherent consequences associated with relying heavily on advanced technologies in rendering of services at the grass root.

2. Conceptual Framework/Clarifications

The discussion of this work will begin with the appraisal of relevant terms and concepts used in this work.

Local Government

Section 277(1) of the Constitution of Federal Republic of Nigeria 1999[1]defined government to include; the government of the Federation or of any State or of a Local Government or any person who exercise powers or authorities on its behalf.[2]

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[1]CFRN 1999.
[2]*Governor of kwara State & ors v Dada* (2011) LPELR_8132 (SC).

Going by this definition, one can rightly assume that, the compound word, Local Government is, 'a political authority set up by a nation or State as a subordinate authority for the purpose of dispersing or decentralizing political power'.

Advanced Technologies (also known as Artificial Intelligence)

These are fusion of digital and key enabling technologies that give rise to innovative models that might give rise to smart products and services. The compound word 'artificial intelligence' is not defined in any contemporary dictionary, however it has been described as things, 'produced by human art rather than by nature'.[3] It is worthy to stress that intelligence connotes:

> The capacity to meet situations, especially if new or unforeseen by a rapid and effective adjustment of behaviour; also the native to grasp the significant factors of a complex problem or situation.[4]

Yigitcanlar & Cugurullo [5] did defined artificial intelligence to mean:

> A collection of interrelated technologies and systems that impersonate the cognitive functions of the human mind for solving problems, performing tasks, making recommendations and decisions without any or with limited explicit guidance from humans.

For the purpose of this appraisal the compound word 'advanced technologies' and 'artificial intelligence' will be used interchangeably.

3. Effective Local Government System in Nigeria amidst the Crave for advanced technologies

The Nigerian Local Government is faced with many challenges. Some of these include; lack of skilled Staff, epileptic poor supply, ineffective legislations, inability to execute its constitutional roles,[6] withholding of its funds and at present, the emergence of artificial intelligence.

While it is undisputed that, Local Governments exist to provide efficient services at the grass root, the Nigerian Local Governments hardly excel in their responsibility due to ineffective and stiffening provisions inherent in the current Constitution of Nigeria. For clarity sake, section 7 of the CFRN 1999 wield the Nigerian States (and its Houses of Assemblies) with power to create new Local Governments, adjust boundaries of existing ones[7] and ensure the sustenance, maintenance, funding of this tier of government.[8] Sections 124(3 and 4) and 162(5) of the CFRN 1999, also exempted executive heads of the Nigerian Local Governments from those that are entitled to pension benefits.[9] It is worthy to stress that, the Nigerian States are also wielded with the power to act as sole trustees over Local Governments' fund and to determine (either by themselves or body authorized by them) the mode/manner this tier of government can exercise its constitutional roles.[10]

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[3] W R Allen, 'The International Webster's Comprehensive Dictionary of the English Language (Typhoon Media Corporation, 2010) p 83.

[4] *Ibid (n 3)* p 660.

[5] T Yigitcanlar, F Cugurullo, `The sustainability of artificial intelligence: an Urbanistic Viewpoint from the Lens of Smart and Sustainable cities',<https://sustainabilityofartificialintelligence> last accessed 14th day of August 2023.

[6] CFRN 1999(as amended) s 7 & 4th sch.

[7] *Ibid,* s 8 as also echoed in *AG Rivers State v AG Federation & anor* (2022) LPELR-57708(SC).

[8] *Ibid* (n 8) s 7 & 4th sch.

[9] *Nwokedi v Anambra State Govt. & anor* (2022) LPELR-57033(SC).

[10] *Riok Nigeria Limited v Incorporated Trustees of Nigerian Governors' Forum & Ors* (2022) LPELR-58087(SC).

As earlier stated, the core responsibility of the Nigerian Local Government is to provide efficient and timely services to Nigerians. However, this is not the reality. First, this tier of government lacks the liberty/freedom to exercise its constitutional roles, they exist as stooges of State governments and are ineffective in rendering services to natives at grass root.

In most developing worlds, advanced technologies are now used to render services or proffer solutions to problems be it in urban or rural areas. Technologies like robots, cranes, drones are daily employed in banking sector (for instance, the use of electronic banking) and other fields of endeavour to make work easier. But this change is yet to be replicated in most Local Government offices in Nigeria. In some nations, robots not only operate cars, conduct surgical operations but also conduct legal proceedings. But Nigeria is yet to catch up with these innovative trends. In *Orjiakor v State,*[11] the Appellate Court while applauding the usefulness of advanced technology (artificial intelligence) in identifying and admitting finger impressions held:

> When the Court has to form an opinion upon a point of foreign law, Customary law or custom, or of science or art, or as to identity of handwriting or finger impressions, the opinions upon that point of persons specially skilled in such foreign law, Customary Law or custom, or of science or art, or in questions as to identity of handwriting or finger impressions, are admissible.

Notwithstanding the stance of the Appellate Court in the above case, it is worthy to stress that, the Nigerian Local Governments are yet to adopt artificial intelligence in rendering of services. Rather, they still render services using the traditional/outdated methods. Reasons for this quagmire can be attributed to its poor financial state, constant deprivation of fund, constant usurpation of its roles/funds and removal of its elected officials by the Nigerian State governments. In *Eze & ors v Governor of Abia State & ors*, the Appellate Court held thus:

> Indeed, the powers conferred on the Government of every State by S.7(1) of the 1999 Constitution to ensure the existence under a law which provides for the establishment, structure, composition, finance and functions of a local government can only be executed within the confines of the provisions of the Constitution...the 1999 Constitution does not recognize Transition or Caretaker Committees for the local governments and it is ultra vires any State Governor to appoint Caretaker Committee to replace elected Local Government office holders. [12]

It is also worthy to note that, the adoption of advanced technologies in administering or executing services of this tier of government; will be far effective and efficient than relying on manual labour just as it in most private sectors. Its use will make it easier for natives to access goods and services of this tier of government online without necessarily visiting her offices. Regrettably, the Nigerian Local Governments' are yet to accommodate advanced technologies it's rendering of services. This neglect on the part of the Nigerian Local Governments, daily deprives it of revenue.

In most advanced nations; e-commerce and advanced technologies (AI) are used to fast-track administrative works, make transactions stress free. Artificial Intelligence is also used in countries like China, United States of America, to predict, forecast and solve difficult problems and make life much easier for locals. In Nigeria, the reverse is the case.

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[11] (2017) LPELR-42739(CA). This is also the situation in *AG Lagos State v AG Federation* (2004) LPELR 10(SC).
[12] *Eze & ors v Governor of Abia State & ors* (2010) LPELR-4133(CA).

While Nigeria is to overcome its epileptic power supply problem, most (if not all) Local Government offices in Nigeria lack requisite advanced technologies (AI) that will ensure that its constitutional roles are effectively/efficiently achieved.

Ironically, most Nigerian Local Government also staff lack the requisite skill to operate or use high level technologies that can enhance its effectiveness and this situation calls for urgent attention.

In many developed nations, AI is used through all levels of governments in rendering of services and solving problems. For instance, Local Government agencies in the United States of America and the United Kingdom, heavily rely on AI to solve variety of problems or forecast events.[13] In Australia, the three-tier government make use of AI to execute varying functions and some of these include; border security, public safety, prediction/ managing traffic congestion, monitoring of environmental hazards to environmental monitoring and use of Chabot to access or collect taxes/calculate debts.[14] Others rely on AIto generate data, information that will enhance the quality of life and its sustenance.[15]

But Nigeria as a nation cannot boast of any legislation that, recognized the legal status or need for AI. Granted that section 84 of the Evidence Act 2014 solely made provision for admission of electronic generated documents (which can be generated by use of AI), it is yet to be affirmed in any legislation. Nigerian courts, on their part; have on many occasions, advocated for the use of artificial intelligence in either conducting proceedings or comparing documents as can be seen in *Ojiakor v State(supra)*. In the instant case, the Appellate Court held that;

> The power to compare and draw conclusions on finger impressions given to the Court by the Evidence Act 2011 as it existed in legislations past is not a progress in the right direction…the correct methodology in such instance is to use artificial intelligence to discover similarities in handwriting, voice and thumb print. I don't know how that section calling for dependence on human intelligence found its way back into the statute books in this age despite the provisions of Section 68 which deals with the admissibility of expert opinion.

In this modern era, it is beyond debate that; AI is one formidable tool that can enhance the effort of any organ or tier of government in actualizing efficient/effective services or to proffer sustainable answers to problems. Flowing from this, it will do a lot of good to the Nigerian Local Governments, to adopt AI in rendering of services and solving of problems. To ensure that the Nigerian Local Governments maximize its potentials in this computer age, there is need to equip Local Government offices in Nigeria with requisite advanced technologies that will aid it in rendering effective/efficient services to natives at grass root. There is also need to train its staff on how best to use these advanced technologies in collection of data, forecasting/solving of issues.

4. The Divide

Every good thing has its demerits and so is over reliance on advanced technologies. In countries where advanced technologies are hugely relied upon, many casual staff have been laid off due to their low level of

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[13]A Androutsopoulou, N Karacapilidis, & ors, 'Transforming the Communication between Citizens and Government through AI-guided Chat bots', <http//Gov Inf.citizensand government through AI> last accessed 15/8/2023.

[14]M A Williams, 'The Artificial Intelligence Race: will Australia Lead orlose?'<http//artificial.intelliegncerace:234fn> last accessed 13/8/2023.

[15]E Falco, R Kleinhans 'Beyond Technology: Identifying Local Government Challenges for Using Digital Platforms for Citizen Engagement'.<identifyinglocalgovt.challenges~Int J Inf Manage> last accessed 17/8/2023.

intelligence and appreciation of how to use advanced technologies. In some developed countries, drones, cranes and robots are used to render basic services at local level.

During the quarantine period necessitated by Covid 19 outbreak, most Local Governments' staff (and medical experts) were used in sensitization of natives (about the outbreak and its symptom) in nations like United States of America and China. China went a step further in using robots, drones and other related advanced technologies to sensitize natives, share foods to those quarantine and treat affected patients.

In banking sector, robots and automated teller machines have gradually reduced the work force of most banks. The ongoing war between Russia and Ukraine is basically fought with drones and other advanced technologies. If the Nigerian Local Governments must continue to be useful and effective in this age, there is need for it to begin to execute its services using advanced technologies.

While the usefulness and effective use of advanced technologies can never be rivaled, there is need to apply restraint in using or relying heavily on same in rendering of goods and services at local level. Aside the fact that, overreliance on advanced technologies will create huge unemployment scale, there is need to also appreciate that; advanced technologies are made man technologies and as such, are prone to errors. In *Asa v State*[16], the Appellate Court while warning against the overreliance of advanced technologies (AI), had this to say:

> Finger print experts in the past have been found to make grievous mistakes which have led to gross miscarriage of justice and sadly, innocent people wrongly sent to the gallows. The correct methodology in such instance is to use artificial intelligence to discover similarities in handwriting, voice and thumb print.

Local Government is the smallest unit of government and will fully maximize its potentials when its roles are effectively/efficiently executed and felt at grass root. This can be easily achieved where advanced technologies are used to complement its efforts, be it in collection data or solving of problems. The Nigerian Local Governments lack the requisite skilled personnel that can use advanced technologies to better its lot.

Regrettably, the desire to use advanced technologies to enhance the effectiveness of the Nigerian Local Governments may never materialize, bearing in mind the epileptic electricity supply and high cost of diesel/fuel associated with Nigeria.

5   Conclusion

Local Government System is a necessity and a key component of any government that is service driven. Effective delivery of government's ideas and policies at the grass root can only be efficiently achieved through a responsive Local Government System. The Nigerian Local Governments' quest to freely exercise they constitutional roles are undermined by many factors which include constitutional restraints (as highlighted in sections 7, 8, 124(3 and 4), 162(5) and 4th schedule of the CFRN 1999, administrative constraints and non-reliance on artificial intelligence.

But this narrative can change where these afore-listed offending legislations are amended and advanced technologies adopted in either administering Local Government policies or solving issues. However, it must be borne in mind advanced technologies should not be heavily relied upon by the Nigerian Local Governments in either providing goods or rendering of services to natives, if it desires to remain relevant in future.

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[16] (2020) LPELR-49937(CA).