

MODELING LOCAL GOVERNMENT SYSTEM IN NIGERIA

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ABSTRACT

Local government administration is said to be the third tier of government that is closer to the people in any country amongst the three tiers of government. Nigeria is never an exemption. Today, the rate of development in Local government councils in Nigeria is geometrically based on different assessment and key performance index and economic

indices within government circle. Focus, therefore should be placed on fashioning Local government administration on governance model such as what is obtained in the United States of America, United Kingdom, France, and Russia. This will eventually bring an accelerated development to the Nigerian citizens. This can easily be attained by making local government administration, a model in Nigeria.

Introduction

It is a known fact that man must relate, and interact constantly with the environment, and probably makes use of his intellectual and physical endowments to subdue, and/or conquer the environment to suit his purpose on earth. The inter play of the forces of nature poses many challenges to man in his environment, thereby compelling him to proffer means of adapting in the society. The scheme of doing things and methods of task accomplishment are altered and modified on daily basis due to innovations, scientific exploits and technological breakthrough. It is in line with this school of thought that makes Wendell. L. W developed the philosophy of one-world. The philosophy places emphasis on the effect of the one-world on national governments, and the conduct of international relations. This philosophy of Wendell leads to global village today through the advent of information and communication technology. The concept of one-world and one national government may have implications on the study of local government councils throughout the globe.

We need not remind ourselves that the world is one. What researchers need to do is to think on how to move upward from the level of local government council through three levels of governments-local government council, state government and federal

government in all countries of the world. Any problem that comes up from the people in the recent past will first of all be subjected to this question: Is this particular task to be entrusted to local government council, state government or federal government? Most often, a great deal of ordinary thinking is shaped by that allocation of the responsibilities of governmental services among the three tiers of government.

It is never an overstatement that there is no precise definition for the term “Local Government”, though almost everybody knows what it means and portends. The concept of local government administration 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 function in relations to the needs and expectation of the people at the local level. A local government council is an institution whose operations address the needs and aspiration of the citizenry and also extends the administrative and political control to the community (Wanjohi, N.G., 2003).

Local government council as the third tier of government is created based on people’s culture and expectations. Local government council is usually created in order to bring government closer to the people and that is the reason why local government council is said to be grassroots government. Local government council should be left alone to regulate her own affairs in spite of the fact local government council is under the control of the state government. Local government council should hold primary responsibility to

their locality and be left alone to exercise some important discretionary authority and should not be regularly subjected to the control of the state government that creates them. Politically, local government council should be accountable to the electorates.

Local Government is the lowest in the governmental hierarchy within the concept of Federalism. The Federal Government is the sovereign national, the State Government, a quasi – sovereign and the Local Government, the infra – sovereign. It is infra – sovereign, subordinate and subject to the control of the state government; yet it is a separate legal unit being a body corporate having a common seal, with powers to sue and to be sued, mainly providing obligatory municipal services. According to Appadorai (1957), local government is defined as government by the popularly elected bodies charged with administration and executive duties in matters concerning the inhabitants of a particular district or place.

According to Lawal (2000), local government council is defined as that tier of government closet to the people and which is vested with certain powers to exercise control over the affairs of people in its domain. A local government council is expected to play the role of promoting the democratic ideals of a society and co-coordinating development program at the local level. It is also expected to serve as the basis of socio-economic development in the locality.

Norris (1997) defined local government council in the context of Peninsular Malaysia as the government of urban areas, rural areas or a combination of urban and rural areas subordinate to the state governments but having an independent legal existence from

various state government. It constitutes the third tier of the government under the system of federalism. Within Malaysia context, it is a state-created (after consultation with the Minister in charge of local government) political entity thereby representing the third tier in a Federal Structure, administered by state-nominated councilors, geographically encompassing a portion of the country. Local government in Malaysia is a sub-system operating within or among a number of other sub-systems. The Ministry of Housing and Local Government in Malaysia defined local government council as infra-sovereign geographic sub-divisions of a sovereign nation or quasi-sovereign state, exercising the power of jurisdiction in a particular area. Many of them are legal entities which means they can sue and be sued, and enter into contract.

Local governments in America could be either municipal corporation which has received charters from the state legislature. The charter establishes the unit as legal entity and outlines its organization and powers. Unless the state constitution provides to the contrary, a municipal corporation continues to be subject to the control of the state legislature through ordinary legislation or charter revision. In the United States, local units are usually created by the passage of special Act of Legislature which gives the unit a name, establishes its boundaries, defines the powers and duties of the officers, as specified by the state constitution and supervises the election officers.

The importance of creating local government as the third tier of government cannot be over- emphasized. Few amongst its functions include ability to generate sense of belongingness, safety and satisfaction among its populace. It is known as the tier of

government that is responsible for local affairs, a sub-division of the nation, and has a defined territory. Thus, local government council is a government at the grassroots level of administration meant for meeting peculiar grassroots needs of the people. Laski (1982), therefore postulates that “We cannot realize the full benefit of democratic government unless we begin by admitting that all problems are not central problems, and that the result of problems not central in their incidence requires decision at the place, and by the person, where and whom the incidence is most deeply felt”.

Local Government Administration in Nigeria

Before the colonization of African countries, there were in existence in most Africa enclaves, local administrative machineries founded upon traditional institutions. In the area known as Nigeria today, the existing tribes that make up the geographical areas already had one form of local administration or the other. In the Northern part of the country, the Hausa cum Fulani practices a highly centralized form of government with the Emir at the head as both the political and religious leader. The Emir however delegates his power to district heads (The Magajis) to oversee the districts that made up the emirates. In the Western part of the country, the Obas firmly held power over towns. This power is delegated to Baales who, in turn administered a town or village and paid royalties to the Oba at specified times of the year. The Igbos of the Eastern part however is republican and egalitarian in nature. That notwithstanding, the Ohaneze (an assembly of men) sits in the village square to take decisions on behalf of the people. Some parts of the east still have village heads and Igwes who administer a particular town with the advice of the council of elders (Lawal, 2000).

Local government administration in Nigeria in this context will be traced to the colonial period. Available record shows that the first local administration ordinance No 4 of 1916 which was designed to evolve from Nigeria's old institutions best suited form of rule based on the people's habit of thought, prestige and custom (Bello- Imam, 1990). These local administrations are used in the western parts of the country while indirect rule is used in the Northern part of the country. Macpherson constitution (1948) initiates some remarkable changes. Regions introduce some reforms in their local administrations in the 1950s which aim at enhancing performance. Though, the reforms give local administrations power to collect rates, levy pools and income taxes to finance their activities, the regions have overall control of the taxes. Local administration lack self-determination, hence their resource is inadequate. The local authorities are partially successful in the north, but unsuccessful in the eastern and western regions.

Adedeji (1970) blames the ineffectiveness of local administration on the following reasons: lack of mission or lack of comprehensive functional role; lack of proper structure (i.e. the role of local governments in the development process was not known); low quality of staff; and low funding. According to him, these problems lead the local governments into a vicious circle of poverty because inadequate functions and powers lead to inadequate funding which result in the employment of low skilled and poorly paid staff.

It is in the annals of Nigeria's history that local government councils did not have proper constitutional recognition before 1976 constitutional reforms when General Olusegun Obasanjo, the then head of state, made it so and subsequently imposed this in the 1979 constitution (Adedokun, 2004). According to Gboyega (1983), Local government administration in Nigeria experienced fundamental changes in 1976. The 1976 local government reform creates for the first time, a single tier structure of local government council in place of the different structure in the various states. The reforms instituted statutory allocation of revenue from the federation account with the intention of giving local government councils fixed proportions of both the federation account and each state's revenue (Awotokun, 2005). This allocation to local government councils become mandatory and are entrenched in the recommendations of the Abovade Revenue Commissions of 1977.

According to the 1999 Constitution of the Federal Republic of Nigeria, section 7(1) of the 1999 constitution of the federal republic of Nigeria stipulates that "the system of local government by democratically elected local government councils is under constitution guaranteed, and accordingly, the government ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils". Section (4) adds: "The Government of a state shall ensure that every person who is entitled to vote or be voted for at an election to the House of Assembly shall have the right to vote or be voted for at an election to a local government council".

Today, there are three (3) tiers of government in Nigeria. Namely: the Federal government, the Government of the thirty six (36) states and Abuja, and the seven hundred and seventy four (774) local government councils. At present, the number of Local government councils is on the increase, compare to what it used to be few decades ago. There are ninety six (96) divisions in 1967. By 1976, the number of Local government councils increase to three hundred (300). Today, the number of local government councils in Nigeria has increased to seven hundred and seventy-four (774) (Adedokun, A. A., 2004). The implication is that the rise in the number of local government councils has implications on the assignment of service delivery to the people at the local government councils' level among the tiers of government.

In most of the African countries, the responsibility of providing essential social services, and bringing about development to the rural dwellers has been delegated to local government councils. The types of services that a local government council may require to provide include housing, water, education, electricity, roads and transport, health facilities and other social services. As a consequence, local government councils must be able to effectively identify and target the neediest communities, have systems in place to track expenditure on projects and be able to determine if the allocation of resources has had an impact. So, it is important that any work done within the social accountability arena should have a strong focus on service delivery within the local government council's environment. The most immediate need is to improve the ability of citizens to engage with the local government councils so that they may be empowered in gaining an understanding of where the priority areas are and what the local government councils are

planning to do. It will also give citizens an opportunity to hold local government councils accountable for the delivery of social services.

According to the fourth schedule of 1999 constitution of the Federal Republic of Nigeria, “The functions of a local government council 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 such other functions as may be conferred on a local government council by the House of Assembly of the state”.

Similarly, the 1999 constitution also empowers the Revenue Mobilization Allocation and Fiscal Commission (RMAFC) to allocate revenue to the three tiers of government - Federal, State and Local. RMAFC is a board constituted under the 1999 constitution of the Federal Republic of Nigeria, i.e. charged with the responsibility of keeping the Federation account and disburses the accrued revenue to the Federation Account among the three tiers of government. The constitutional basis for allocation of revenue among the three levels of Government in Nigeria is laid down under Section 160 Subsection (2) to (8). Accordingly, any amount standing to the credit of the Federation Account shall be distributed among the Federal and State government and the Local Government Councils in each state, on such terms and in such manner as may be prescribed by the National Assembly.

The monthly statutory allocation being disbursed to the seven hundred and seventy-four (774) Local government councils is meant to provide infrastructural development so that people at the grassroots will feel the pulse of the government at the three levels of governance. As agents of rural development, local government councils are to use the funds made available to them by both Federal and State Governments. Local government councils can equally generate revenue to improve on the lives of the people within their areas of operation through initiating and attracting developmental projects to the local

government councils such as provision of access roads, water and rural electricity; sustaining livelihood through the provision of credit facilities for agriculture, arts, crafts and small scale business, and encouraging the formations of cooperative societies and other economic groupings (Ajayi, 2002). Local government council as a public business consumes huge resources in providing vital services which are managed by elected and appointed officials. Among the essential services provided by Local government councils in Nigeria are sewer construction, fire protection, garbage collection, housing management, health care, transportation, water supply, education services (primary school), etc in response to immediate and urgent needs of its citizens (Agagu, 1997).

Local government model

There are local governments that have become established models. The prominent ones are the American model, French model and the Russian model. In the United States, the vast distances between the government and the people, sparse population and means of transportation and communication made relatively autonomous local governments almost a necessity. There exists a local government system known as American model. It descended from the eighteen century British system. It however varies from one part of the country to the other. Under this model, executive functions may be centralized or decentralized. The selection of personnel may be patron or merit system. There are areas where elections are held into offices in the local government and there are areas where elections are not held into offices in the local government in the United States.

In France, local government was developed and used as an instrument for bringing democratic equality to the people during the French revolution. The French model of local government system is under the control of Federal Ministry of Interior in France. Under the French model, the ministry of interior of the central government dominates

local governments' administration through the prefect who is an administrative officer. Local governments in French are called communes whether rural or urban. Except for Paris, all local governments are similar in structure with each having an elected mayor and council. Ordinarily, the commune meets every quarter to adopt annual budgets. However, other matters of finance (including education and police) are primarily controlled by the interior minister. Local governments on the other hand have authorities over things that are local in nature like parks, recreation, and street maintenance. The French system is particularly strong in countries with strong central government. It is operated in some parts of Europe, the Middle East, South America, Japan, Mexico and African countries.

In the United Kingdom, a combination of necessity and the need to bring government closer to the people to provide basic essential services led to the creation of local boards. This scenario laid the foundation for the emergence of county and borough councils. The Russian model of local government system has been in existence ever before the collapse of USSR. This originated from the defunct Soviet Union. The union operated as a Federal System with Fifteen (15) Republics. These were in turn divided into varieties of Local Government Councils. The councils were large numbering several hundreds of members and operated through a system of committees. Council men need not be members of the political party but were drawn from various professional backgrounds. They had decision making authority in local matters although all policies must align with that established by the central government.

For Nigeria to have model Local government councils, the Federal Government needs to study the peculiarities of individual Local government council. Local government councils should be assigned different roles according to the needs and aspirations of the people in the Local government councils. The seven hundred and seventy-four (774) Local government councils should be categorized based on the nature of essential services to be delivered, instead of using traditional classification of rural, semi-urban, and urban Local government councils. This will be in line with what is obtainable in the developed nations of the world. Also, there must be fiscal decentralization of power among the three tiers of government. Local government councils should be given the freedom to operate according to the need and expectations of individual local government.

For Local government councils in Nigeria to develop the grassroots, the need arises to make local government councils model just like what is obtainable in the advanced nations of the world. The issue of fiscal decentralization of power is very essential. This will enable local government councils to provide essential services to their people at the local government level. A model local government should be able to operate according to the needs and expectation of their people. There must be effective transfer of inter-governmental resource among the tiers of government. The state government should not be made to be exercising unnecessary control on the local government if local government should be autonomous. There is need to develop a good management capacity index.

Comparatively, Nigerian Local government councils could be compared with Malaysian Local government system, because the two countries are categorized as developing countries. In Malaysia, there is what is known as Malaysian Management Capacity Index (MMCI) used for evaluation cum rating of Local government in Malaysia from time to time. This index measures visionary & strategic leadership, performance leadership, people leadership, financial management, organization capacity, application of technology & knowledge, external relationships, innovation- products & services and results & comparative performance. If there is excellent performance in the local government councils and there are continuous refined and improved services by the officials of local government councils, those Local government in question are bound to attain the status of model. Nigeria government could as well borrow a leaf from this type of local government administration, and begin from somewhere. It will be unfair if one begins to compare Nigeria with places like U.K., USA, Russia, French, etc., but a comparison could be made with respect to places like Malaysia, India, Indonesia, etc. A key performance index (KPI) known as Nigerian Management Capacity Index (NMCI) could be developed for the seven hundred and seventy-four (774) Local government councils in Nigeria. This index will measure, evaluate, and rate Local government councils on financial management, delivery of basic services, managerial accountability, good governance, and other functions as it is created in the 1999 Constitution of the Federal Republic of Nigeria. This index should be designed by the Federal Government to capture the comprehensive aims and objectives for which Local government councils are created in Nigeria. And the usage of the instrument should be purely on merit.

It is reported in the Malaysian local newspaper known as ‘the star’ of 3rd May 2009 that Malaysian Government has just given a star rating of her Local government councils. The star rating is based on five aspects, namely management, services, client management and community participation and resident feedback conducted by the Ministry of Housing and Local Government in Year 2008. Though, it is reported that none of the one hundred and forty- five (145) local government councils in Malaysia have secured a five star rating for top notch performance, but at least it shows the standing of individual Local government councils in Malaysia. Forty- seven percent (47%) of those surveyed secured below rating of two stars. Ten (10) local governments, namely, Kuala Lumpur, Subang Jaya, Petaling Jaya, Shah Alam, Klang, Johor baru, Alor Gajah, Melaka Bersejarah, Kuantan and Manjung have four (4) stars status. Twenty- three (23) local government councils have three (3) stars, forty- six (46) two (2) stars and eighteen (18) one (1) star. Ministry of Housing and Local Government rated ninety- seven (97) local authorities and forty- eight (48) did not participate in the rating exercise. Those that did not participate in the exercise include twenty- two (22) from Sabah, twenty- five (25) from Sarawak and the other one from Peninsular Malaysia. The rating therefore is as follow:

STAR RATING FOR LOCAL AUTHORITIES IN YEAR 2008						Total no. of LGCs
	*	**	***	****	*****	
States	One Star	Two Star	Three Star	Four Star	Five Star	
Perlis	0	0	1	0	0	1
Kedah	5	4	2	0	0	11
Penang	0	0	2	0	0	2
Perak	4	6	4	1	0	15

Selangor	0	3	5	4	0	12
K/ Lumpur	0	0	0	1	0	1
N/ Sembila	2	4	2	0	0	8
Malacca	0	0	1	2	0	3
Johor	2	9	2	1	0	14
Pahang	0	8	2	1	0	11
Terengganu	1	5	1	0	0	7
Kelantan	4	7	1	0	0	12
Total no of LGCs	18	46	23	10	0	97
Total no of LGCs (%)	18.6	47.4	23.7	10.3	0	100

Source: Star GRAPHICS, 2009.

This could be used as a good starting point for Nigeria, if the country intends to develop the grassroots as it is claimed in the pages of newspapers. There should be a way of getting feedback from Local government councils in Nigeria; otherwise the statutory allocation being disbursed to the Local government councils in Nigeria will be mismanaged by the elected and appointed officials in the Local government administration.

Local government councils in Nigeria must be more sensitive of their position as frontline agencies and improve themselves. Local government councils are independent and working under the purview of their respective state governments. Therefore, it is important for the two parties (state government and Local government councils) to play their roles and provide good service. Local authorities are in the frontline, providing

services directly to the people- from rubbish collection, grass cutting, drain cleaning, maintenance of public parks to the issuance of business licenses and infrastructure development. Their performance has a direct impact on the people's daily lives and well-being. Public satisfaction is a measurement of the government's delivery system. All these will go a long way to make local authorities in Nigeria to form a model of their own as far as local government system is concerned.

Conclusion

Modeling system of Local government councils can easily be adopted, if some lacuna in the 1999 Constitution of the Federal Republic of Nigeria can be amended. Local government councils should be given autonomous. There should be little or no interference by the state government in the control of Local government councils in Nigeria. The issue of inter-transfer of fund from central government to Local government councils needs to be revisited. State-Local government joint account should be cancelled. Local government councils in Nigeria should be allowed by law to operate based on the peculiarities of individual Local government council. There should be specialization in the delivery of social services by Local government councils, and Local government councils should be rated based on rate of delivering social services to the people in the Local government councils.

True Federalism encourages modeling of Local government administration. So, Federalism should be allowed to thrive in the Nigerian administrative system. There should be decentralization, and devolution of powers at the central. This will surely bring

rapid infrastructural development, most especially to the rural area through the use of local government administration. Technocrats should be encouraged to administer local government council in order to move the administration of Local government councils with the tune of what is obtainable in the world today. The appointment could either be through local election, or by appointing technocrats or by appointing popular and accepted people of proving integrity that will cut across all the political parties in the country. These officials must be able to deliver so that people would not loose confidence in the local governance. For Nigeria to attain the status of model in her third tier of government, the affore-mentioned factors must be considered and ensured that those factors are put into practice for other developing countries to emulate as far local government system is concerned. These measures must be put in place for any country to have a model status. There is need for a proactive measure on the part of the central government so that modeling system of local governance can be put in place in order to sustain the current development, and to facilitate more infrastructural development, most especially at the local level of governance.

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