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in

LOCAL GOVERNMENT

**Administration
in Nigeria**

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CHAPTER ONE

EVOLUTION AND DEVELOPMENT OF LOCAL GOVERNMENT IN NIGERIA

Jacob Olufemi Fatile

Introduction

Every modern state has been formed by the coming together of many local units. This means that each citizen has local loyalty. Since it is practically impossible for the central government to control every detail of the segments forming the state, it is necessary that local governments are established to attend to the details of local administration, giving full weight to local preferences and prejudices on every issue. Bello-Imam (1986) asserts that countries all over the world have appreciated the fact that it will be cumbersome to administer and manage the affairs of the state by one and only central government. Consequently they have established local government or one form of administration for a number of reasons.

Local government is one of man's oldest institutions. The earliest form of local government existed in the form of clan and village meetings. In fact, democracy itself originated and developed along the lines of local government initiatives in the ancient Greek city states (Agbakoba and Ogbonna, 2004:5).

Ayo (1995:1) observes that the Nigerian local government system had undergone series of metamorphosis. He noted that the system has been restructured, re-organized and revitalized depending on the regime in power as well as

the nature and level of interest of such regime in local government administration. Administration systems at the grassroots level in Nigeria had always been in operation since time immemorial among the various people now christened Nigeria, even before the colonial masters set their feet on the soil of Nigeria (Awofeso, 2004:54). Put differently, it is not debatable that the history of local government system in Nigeria is older than the advent of the erstwhile colonial masters. Colonialism, however, helped to widen the course of history of Nigerian administration systems as it contributed significantly to the evolution of local government in the country. This explains why many scholars are of the view that local government in Nigeria emerged from the British colonial administration in the country.

It must be noted however, that local government in Nigeria in the modern sense dates back to 1950 when the first democratically elected councils were established in Lagos and Ibibio areas of the old Calabar Province of Eastern Nigeria. Prior to that date, the system of local government was indirect rule.

This chapter addresses itself to the historiography of Nigerian local government by tracing its origin and development to date. The first section treats the introduction. The second section examines the pre-colonial administration as evolved by different communities in Nigeria. The third segment focuses on the local government system under the British Colonial rule. The fourth part reviews the era of participation and confusion between 1960-1965 (First Republic) as well as the period of military reform between 1966 to 1975. The fifth section concentrates on the Local Government reforms of 1976, 1984, 1988 and

2003 in Nigeria. The last section treats the conclusion. It also suggests ways of arriving at a virile and stable local government system in Nigeria.

Local Government in Pre-Colonial Nigeria

There had been traditional local administration in Nigeria before the introduction of the British system of local administration. Prior to Colonization, there were in existence in most Africa enclaves, local administrative machineries founded upon traditional institutions (Agbakoba and Ogbonna, 2004:8). According to them, in the area known as Nigeria today, the existing tribes that make up the geographical areas had already had one form of local administration or the other. Awofeso (2004:54) contends that it is erroneous for one to assume that the various peoples of Nigeria had no form of administration by which the local people were governed before the advent of Colonialism. He argued that the truth, however, is that there were already well developed and properly structured indigenous system of local administration among various people of Nigeria. Thus, before the arrival of the whitemen, precisely the Europeans to Nigeria, there were political leaders ruling over empires and had headquarters and they also established local administration. The pre-colonial rules were characterized by discrete political systems of the various people. Put differently, each society had its own norms, values and tradition that guided its political relations with its people (Olori, 2004:19).

From the North through the South-East to the South-West, there existed some rudimentary traditional institutions which formed the basis on which each of these nationalities were locally administered (Awofeso, 2004). Before the

advent of colonialism, each of the major ethnic groups in Nigeria had its unique way of administering its government. Awofeso (2004) claimed that all the functions of modern government were performed by some kind of rudimentary, non-differentiated and non-secularized structures which cut across different level of administration- the central capital, divisional, district and village as the case may be. Within the scope of the chapter, it may be difficult to discuss the pre-colonial administration among each of the various ethnic groups in the country instead, we shall limit ourselves to the three major ethnic groups which include the Hausa-Fulani, the Igbo and the Yoruba kingdom.

Pre-Colonial Political System of the Hausa-Fulani

Prior to the Jihad or the Holy war of 1804, the territory now known as the Northern Nigeria was ruled by the Hausas. The defeat of the Hausas in a holy war by the Fulani and the establishment of the Fulani Emirates led to the abolition of the Hausa Kingdom. For administrative convenience the Fulani empire was divided into two viz- the Eastern and the Western sections. The Eastern zone had its capital at Sokoto while the Western zone had its capital at Gwandu.

Ola and Tonwe (2003:3) asserts that the era of Fulani rule was a period when might was right and when law and order existed only for the strong. They however, argued that despite this situation a great deal of administrative development had taken place in the Hausa states. Olori (2004) also observes that the pre-colonial era in Hausa-Fulani was characterized by public insecurity which was due to slave raid and maltreatment of the ordinary people by the traditional rulers/Emirs. According to him, there

was no doubt that the people were living in perpetual fear and uncertainty.

Agbakoba and Ogbonna (2004) also noted that the Hausa/Fulani practiced a highly centralized form of government with the Emir at the head as both the political and religious leader. The Emirs who were political, administrative and spiritual leaders of their people appointed a number of officials assigned with specific duties. These officials included the Waziri who was the Prime Minister, the Madawaki was the Calvary Commander, Galadima was the Administrator of the Emir's capital; Sarkin Fada was the Palace administrator; Sakin Yan Doka was the chief of the police; the Maaji was the officer in charge of treasury; Sarkin Ruwa was in charge of fishing, Sakin Pawa was the Emir's director of butchers; and Yari was in charge of prison, (Awofeso, 2004:57, Anyaele, 2003:123).

Thus, in the Northern part of the country, the Hausa/Fulani practiced a highly centralized form of government with the Emir at the head as both the political and religious leader. The Emir, however, delegated his power to District heads (the Magajis) to oversee the districts that made up the emirates. Ola & TONWE (2003) noted that the Hausa emirates had developed a well-organized fiscal system, a definite code of land tenure, a regular scheme of local rule through appointed district and village heads, as well as trained judiciary which administered the Islamic laws.

The political system was arranged in hierarchical order from the top to bottom. The Emir was atop of the hierarchy until it reached the Ward head (Olori, 2004). Oyediran (1988) revealed that the Ward head was appointed and dismissed at will by the village head. The latter was in

identical relationship with the fief-holder who in turn owned his position to the Emir.

It is important to note that the emirate's local government at this time was a classic system of theocracy. The ultimate legislative function was centered in the will of God and the action of the Emir were assumed to be divinely inspired and unchallenged (Ola & Tonwe, 2003). Thus, the Emir was all in all. He ruled his subjects with impunity. No wonder Awofeso (2004:57) revealed that:

General policy guidelines emanated from the Emir whose action and decisions were rarely challenged by the subjects who regarded him as the representative of Allah on earth; hence, any disobedience to the Emir's order was tantamount to the disobedience of the law of Allah. This unavoidably made the system to be authoritarian and dictatorial while the power of the Emir was absolute and unlimited.

Paden (1973) also claimed that the structure of authority was centered around the office of the Emir. According to him, the Emir has been considered the repository of religious, executive, legislative and judicial functions. Ola and Tonwe (2003:37) however noted that in the Northern emirates, the emir was much more than this because he ruled by the divine rights of Kings.

Pre-colonial Political System of Administration in Yorubaland

In the South West zone of Nigeria, the principal ethnic group is Yoruba. A distinguished characteristic of the Yoruba is their comparatively large-scale political organization that existed before the advent of Colonialism

(Coleman, 1963; 27; Igwe, 2003:26). The Yoruba Kings were not autocratic unlike the Emirs in the Hausa states that were very powerful (Olori, 2004:23). Oyediran (1988:30) also observed that the Yoruba varies widely but the system of administration was similar. The unit of administration in the various communities centered on the chiefs. Organizationally, the hierarchical structure of the Yoruba pre-colonial political system was such that, the Oba and his Senior Chiefs were collectively responsible for major decisions and administration at the centre, the headquarters or the empire's capital (Oyeweso, 2004:59).

In this discussion of the pre-colonial administration in Yoruba land, we shall examine the organization of the old Oyo Empire. The system of government in the old Oyo Empire in the period before 1800 was like most other kingdoms and empires that existed in Africa. It was monarchical in nature based on the not easy to run principle of checks and balances (Anyaele, 2003:122). The Alaafin, who was regarded as the "lord of many lands" headed the administration. The Alaafin developed an elaborate administration made up of a hierarchy of officers, priests and eunuchs (Igwe, 2003:27). Oyeweso (2004:59) also noted that the legislative, executive, judicial and religious functions in the Yoruba pre-colonial society were performed at various levels of administration by different bodies and institution.

In discharging his duties and carrying out the task of administration and justice, the Alaafin was assisted by a council of Oyomesi, an aristocratic council of state, made up of seven chiefs. The Oyomesi were the kingmakers and the leader of the group was Bashorun, the Prime Minister, who was always the chief lieutenant of the Alaafin. The council has a responsibility to elect a new king in place of

a dead one and to impeach or remove any obstinate king who when the occasion demanded, asked the Alaafin that erred to commit suicide by presenting to him an empty calabash with parrot egg inside.

Ola and Tonwe (2003:39) while explaining the role of Bashorun who was the leader of the Oyomesi noted: *Though a lieutenant of the Alaafin in the administration of Justice and in governing the people, he was also an effective restraint on any excess, misdemeanor or tyrannical attitude of the Alaafin.* This shows that the Oba was a constitutional monarch and as such could not rule autocratically because of the inbuilt checks and balances in the system (Oyeweso, 2004:58).

In Yoruba land, the Oba firmly held power over towns. This power was delegated to the Baale who were provincial administrators. They were the agent of the King in the outlying regions of the Kingdom. (Igwe, 2003:27; Agbakoba and Ogbonna, 2004:8). Thus, for administrative efficiency, the Empire was divided into districts composed of a number of villages. Each of the districts was placed under the administration of a senior chief at the Oba's palace (Oyeweso, 2004:59). The task of these representatives was to maintain law and order in the territories, ensure that the vassals paid taxes and to ensure the protection of the kingdom's trade routes (Igwe, 2003:27).

Another organ of the government of the old Oyo empire was its army organization headed by an army general or Are-Ona-Kakanfo. The military aspect, according to Ola and Tonwe (2003:9) was most important both in terms of maintenance of the reputation of the kingdom and as a reality for warding off any possible aggressors. Although the rank and file of the empire's army was adhoc in nature

(as young men were called up for war when required), but there was a permanent officers corps made up of seventy commanders. The army was a disciplined officers corps to the extent that if the army is defeated at war, the Are-Ona-Kakanfo was not expected to return to the capital but to commit suicide (Igwe, 2003:28). The Ogboni is another important organ of government in the old Oyo Empire. The Ogboni cult performed judicial functions and one of their constitutional duties was to check the excesses of the Oyomesi.

In conclusion, it is clear from the foregoing discussion that the Yoruba people had a very well established local administration before the coming of the Europeans. Local administration had existed and the traditional rulers had administered the affairs of their people before the advent of colonialism. Although the administration was not democratic in the sense of being elected, but it was centered around the Oba or the paramount ruler.

Pre-Colonial Political System of Administration in Igboland

The Igbos are the major ethnic group in the Eastern part of Nigeria. And as Awofeso (2004:60) has noted, that the Igbo pre-colonial political system has been described as acephalous, republican, fragmented and segmented. There was no sort of central authority, what they had was a diffusion of political authority into different groups (Anyaele, 2003:124). Thus, it is appropriate to say the political system of the Igbo was very subtle and complex, based on the principle of village "democracy". The system was characterized by political fragmentation and they practiced the communal system where individual was his brother's keeper. The political system of the Igbo society

was non-centralized in the sense that there was no Oba, king or supreme leader of the people. Akhakpe (2005) noted that governance was carried out through elders, family, and clan heads with the use of age grades groups to discharge the duties of government.

In Igbo land, two distinct levels of administration could be identified. The first is the village and the second is the village group. Anyaele (2003), claimed that the village group is made up of two main institutions which include the council of elders (Ama-ala) made up of heads of families who held staff of authority called "Ofo" or "Ozo" and all grown male members of the village are part of the village assembly. The village council was composed of descent group heads, each holding the "Ofo" or "Ozo" sticks. Effective power in the village was in the hands of the elders who were supposed to be chosen by the oracles especially that of Arochukwu. Unlike other groups, the system was highly participatory in the sense that every adult male were allowed to voice their view. Oyederan (1988:33) contended that the Igbo traditional administration is usually described as stateless society because everyone could do what one had chosen as the best for him or her.

It must be emphasized that the, Ozo title holders all contributed to law-making as well as law implementation while the judicial functions were also performed by the family heads who settled disputes within families, the council of elders and the priest of 'Ala', if the offence committed was against the god of the land (Awofeso, 2004:60).

Thus, the Igbo system of government was based on the principle of village democracy. The society was egalitarian. Stable government was achieved through the balance of

small equal groups against each other and by ties of clanship, marriage, economic and religious association (Igwe, 2003:3). The society was segmented and strictly subject to the control of religion. It respected the institution of age-groups as well.

It can be seen from the foregoing discussion, that traditionally, the indigenous society had a very well-established local administration. The pre-colonial Nigerian entities adopted systems of government that had organs and institutions just like modern administrative systems. Although the administration was not democratic in the sense of being elected, while the legislative and the judicial functions were. In most cases, fused and concentrated in the same hand, for instance, the centralized societies had vibrant hierarchies that played administrative, political, judicial and religious roles, the non-centralized societies on the other hand, had councils and other agencies that were republican in nature. Thus, contrary to the views of scholars who contended that Africans had no historical past or a well established political system, it has been established here that local administration had existed in Nigeria and the traditional rulers had administered the affairs of their people long before the coming of the Europeans.

Colonialism and Local Government in Nigeria

In this section, attempt is made to review the history of local government in Nigeria under the British colonial rule. Although, the evolution of local government administration in Nigeria is older than the advent of the erstwhile colonial masters, Okoli (2005:2) argued that it can be categorically said that indirect rule system is the forebear of the present day Nigeria local government system. Ola and Tonwe

(2004:43) also observed that when the colonialist arrived the country, they did not find a vacuum, indigenous administration existed which could be built upon. According to them, the observant and intuitively sharp British administrators soon saw the very advantageous position occupied by the local rulers.

In 1861, an administration was imposed on the colony of Lagos and as a result of French-German rivalry in the Niger around 1870's Tubman Goldie was dispatched to Nigeria and by 1879, he had formed the United African Company (UAC). Also by 1884, he had succeeded in forcing out the French after concluding several treaties of protection with local chiefs. Through Goldie's activities, the Royal Niger Company was granted a charter in the aftermath of the Berlin Conference (1884-1885) and with the charter began to exercise political authority over the areas on which treaties had been imposed. Thus, the guideline for indirect rule was laid down by Sir George Goldie, the director of the Royal Niger Company in 1886 (Kirk-Green 1965:4; Egonmwan, 1984:31, Flint, 1960:94 and Adeola, 2009:4).

On January 1, 1900, the charter of the Royal Niger Company was abrogated and Lord Lugard subsequent task was to conquer the North and to do this, he had to use the latest West African Frontier Force (WAFF) and the system of indirect rule and the dual mandate. In the North, the people resisted the invasion gallantly. In the East, the same thing happened. Between 1906 and 1912 when Lord Lugard had virtually completed the occupation, there followed a massive penetration of culture colonization through religious activities of the missionary churches and educational service. In 1906, the colony and the protectorate of Lagos united as colony and protectorate of

Southern Nigeria. In 1914, Lord Lugard amalgamated the northern and southern protectorates and Lord Lugard became the Governor-General.

The system of indirect rule was introduced by Lord Lugard first in Northern Nigeria for obvious reasons which were; administrative, economical and availability of political and administrative structure favourable to the system (Okoli, 2005:3). In the same view, Nwagwu (1991:16) argued that:

The introduction of indirect rule was to achieve twin objectives. These, include making the task of administering the newly acquired colony and protectorate of Nigeria easier for the British administrative officers called District Officers (DOS) and Residents for the benefit of Britain and to keep the government nearer to the people through the Emirs and chiefs who had become agents of British imperialism.

Ola and Tonwe (2003:44) also asserted that the idea behind the introduction of indirect rule was to preserve the authority of the local rulers, local institutions, traditions and habits rather than attempt to impose totally new and unfamiliar ideas from outside. Local development would, thus, come about through the delegation of authority to chiefs and through a gradual participation of citizens.

Encouraged by the high degree of success of indirect rule in the northern Nigeria, Lugard proceeded by extending same administrative system to the south (Awofeso, 2004:64). Whereas, the system to some extent was successful in the north while it lasted, it was fairly incompatible with the communities of the East (Adeola, 2009:15). Thus, while the system performed satisfactorily

both in the Northern and Western province as it relied mainly on traditional institutions which were well established in these areas. In the eastern province, there were no systematic and strong traditional institutional and therefore the system of native administration did not succeed in the area.

Bello-Imam (1990) observed that the first local administration ordinance was the Native Administration Ordinance No. 4 of 1916 which was designed to evolve from Nigeria's old institutions, the best suited form of rule based on the people's habit of thought, prestige and custom.

The Native Authority Ordinance of 1933 was passed when Sir Donald Cameron was the Governor of Nigeria. Under 1933 Native Authority Ordinance, the powers of the Native Authorities were defined and made the same every where in the country. Another law was passed in 1943 to democratize the local government system.

Thus, it is appropriate to argue that prior to 1950, the colonial government used indirect rule through the Native Authorities (NA) to administer the people at the grassroots. The native authority operated under the District Officers (DOS) with the collaboration of the traditional rulers. Funds were raised mainly through taxation collected by the Native Authority which retained some parts for the maintenance of their services (Eneayan, 2009:121).

The period of colonial era in Nigeria could be regarded as the days of Muddling through in local administration in the country (Aborisade, 1992:86). He claimed that some of the things which the then administrators over looked are today pressing problems of the local government councils. These problems according to him are how to attract qualified

staff, local government finances and the place of traditional rulers in local government councils. Not only that, scholars have argued that the Native Authorities were mere ready tools in the hands of the District Officers and the Resident to realize the desire of the British colonial government. Oyediran (1988:35) observed that the District Officers and the Residents made most of the executive decisions for which the Native Authority were made to assume responsibility and control over the latter. Awofeso (2004:67) agreed with this position when he revealed that Native Authorities during this period were subordinated to higher authorities through the Resident's all-encompassive and all-embracing control over them. Thus, the Native Authorities were neither politically autonomous nor financially viable.

In the Western region, late chief Obafemi Awolowo and some educated elites constituted a think-tank for the Nigerian people's resistance to a non-representative and non-participatory system which the Native Authority system represented in the East and West of Nigeria (Adeola, 2009:6). In the same vein, Aworawo and Akpan (2003:220) asserted thus:

In the Western region, Chief Obafemi Awolowo led the opposition against the native authority system and advocated for a representative institution in the early 1950s. His resentment was predicated upon the lopsided changes effected by the advent of colonial rule as different from the colonial administration it displaced.

Ola (1984:99) believes that the demand for local government reform began in the Eastern provinces where the Native Authority had been most strange. This demand according to him dated back to 1948 when a committee was set up in the Eastern House of Assembly to look into the possibility of local government reform in the region. By 1950, the Eastern Region Local Government Ordinance was passed to replace the existing native authority ordinance. The Local Government Ordinance of 1950 was conceived to give democracy and representativeness to Local Government (Oyewo, 1987:2 and Adeola, 2009:6). With this reform, the people of the Eastern Region then had the opportunity to participate in the affairs the local government administration by partaking in the election of councilors who were responsible for the running of the council. Oyewole (1987:2) also revealed that it had three tiers which include the County Council, the District Council and the Local Council. The County councils were responsible for roads and customary courts; the District Councils took charge of health and sanitation while other petty services were performed by the Local Council. Thus, the British-Style Multi-tier local government system was adopted in the 1950s and it attempted a reform of the exiting native authority system.

The firm entrenchment and successful execution of indirect rule in Northern Nigeria, partly explains the late development of Modern local government system in the area (Omorogiuwa, 1993:114). It must be pointed out that in the Northern Region because the Native Authority System was not dismantled, minor reforms were contemplated. Adeola (2009:7) claimed that the Emirs were still in charge but had to operate through the chiefs-in-council. The Ilorin Native Authority was the first in the

North to have elected representatives in 1952 These reforms continued with minor adjustments here and there until military takeover in 1966. Omorogiuwa (1993) argued that:

The gradual process of democratizing and modernizing the Native Authority (NA) between 1954 and 1966 in the North began with indirect elections, using district councils as Electoral College.

The Western Region local government reform followed the Eastern Nigeria pattern of reforms with the Western House of Assembly Local Government Law of 1952. The Eastern Local Government reforms served as a catalyst to the other regions, especially the Western Region that followed suit in the year 1952 when the Western House of Assembly passed into law the Local Government Ordinance of 1952 (Olori, 2004:43). The Western regional experience of modern local government was also patterned after the British model. The structure was essentially the same with that of the Eastern Region. There were Divisional, District and Local Councils, each created by an instrument. Each of these councils had a majority of elected members. Few traditional councilors who are recognized chiefs were appointed by the Governor-in-Council.

It is pertinent to state at this point that there were four types of Native Authority in the North which include: Emir-in-Council, Emir and Council; A Council and Caretaker Council. In the Emir-in-Council, the Emir had absolute power whereas the Emir took decisions with his Council in the Emir and Council. The Caretaker Council was meant to oversee disputed areas. Generally, membership consisted of elected members in majority and traditional nominated

chiefs. In the Eastern Nigeria, all councils were established by law. The Urban councils were established in big towns, County Councils were established in rural areas not having a big town; the Municipal Councils were given to Enugu and Port Harcourt while the local council covers roughly the area of a village or two. Just like in the Eastern region, all councils in the Western and Mid-Western regions were established by law. The Divisional Council covers the whole division. The District Council covers the districts; the Local council was established for a village or small area while the All-Purchase District Councils were established as rating authorities. In addition, there was the Lagos city council and other municipalities headed by ceremonial mayors.

Orewa and Adewunmi (1983) noted that in years 1950-1955, the first largely elected local government councils based on the British model emerged in Lagos and the former Eastern and Western regions. At that period, a maximum of 25% of the council members were traditional rulers (Aborishade, 1992:86).

The period between 1960 and 1965 has been described by scholars as the era of participation and confusion. It was called period of participation because many more people participated democratically in the local government as a result of the Independence granted Nigeria in 1960. It was also called era of confusion because of the many political crises that rocked the country between 1962 and 1965. The local government system in Nigeria continued to witness significant changes, especially in the onset of military rule in 1966. Adeola (2009:7) noted that the policy direction at the local level was not that of enlarging but administrative restructuring and consolidation. The military

Governor took bold steps in this direction by appointing divisional officers as sole administrators. Ofoeze (1997:43) claimed that:

The local governments throughout the country were in bad shape before the advent of the military, as virtually all the local government councils in the East, West and Mid-West regions had either been replaced by a sole administrator or a management committee.

The local government administration under the military was greatly influenced by the military orientation and socialization which formed hierarchical order and centralization of authority (Awofeso, 2004:74). He argues further that the splitting of the old four regions into twelve states afforded the opportunity for each state to restructure its own local government system. For instance, with the creation of 12 states in 1967, the Eastern and Mid-Western governments took over the ruining of political institutions (Eneanya, 2009:122).

Thus, the interval time between 1960 and 1975 marked the period of serious decline of local government council, in Nigeria (Orewa and Adewunmi, 1983). It was obvious that the various reforms introduced did not satisfy the objective of democratic local government but had instead succeeded in transforming local government area into local units of the central government administration. No wonder, Aworawo and Akpan (2003:222) contended that most of the reforms introduced were merely changes in nomenclature as the structure of such systems romanced. They explained further that win the Mid-Western and South Eastern State, the reforms renamed local governments as

“Development Administrations” In the Eastern central state, it was Divisional Administration while the American Council Manager plan was adopted in Western Nigeria, and in Lagos it was called “Development Area Administration”.

To conclude this section, it is important to state that there were minor differences in method of governance from one state to the other throughout the country even in states that shared some similarities in many aspects. And as a result of many defects inherent in the existing local government system, the Federal Military Government therefore made many changes through the 1976 Local Government Reforms to make the Nigerian Local Government system more viable and efficient.

The 1976 Local Government Reforms

Before the great reforms of 1976, local government in Nigeria varied in name and in structure from various regions of the country. By 1975, it was easily discernable that local government in Nigeria was generally ineffective and inefficient. Omorogiuwa (1993) revealed that apart from inadequate fund, poor staffing, and before 1966, excessive politicking, the state government’s deliberate encroachment on the functions of local government over the years, made progress impossible for Local Government Councils. Thus, before the introduction of the 1976 Local Government reforms, the Local Governments in Nigeria were quite deficient in structure, size, staffing and finance, a development which inhibited their effectiveness as agents of national integration and grassroot development (Aworawo and Akpan, 2003:224).

Having realized that there are many defects inherent in the prevailing local governments, the Federal Military

Government made changes in the Nigerian local government system. Oyewo (1987:9) observed that as contained in the Guidelines; these proposals for reforms were intended to stimulate democratic self-government and to encourage initiative and leadership potential. He noted that the Federal Military Government believed that it is only through an effective local government system that the human and material resources could be mobilized for local development. Not only that, such mobilization implies more intimate communication between the general public and the government, and above all, these reforms were intended to entrust political responsibility to the people. Thus, realizing the need for reform, the then Federal Military Government in late 1975 began tentative discussions through the establishment of a small-co-operative Committee. The commission report was the outcome of exhaustive consultation within each state.

Omoroguiwa (1993:115) argues that in this connection, the federal military government embarked on extensive consultation regarding the best system of local government suitable for Nigeria. He explained further that the reports of the various committees were discussed at the various levels in Enugu, Ibadan and Kaduna. There was also a national conference at Ibadan where the recommendations of the various committees from the various zones were discussed.

The 1976 Local Government reforms had its source from the report of the Udoji commission set up by the Gowon administration. Awofeso (2004:82) observed that what later come to be widely known as the 1976 local government reforms had its roots in the 1974 Public Service Review Commission (Udoji Commission) which included in its

comprehensive report, some recommendations on local government reform. He noted that apart from the recommendations which called for the unified simple tier local government systems, other recommendations served as framework of ideas on which the guidelines of the Local Government reforms of 1976 were later based.

Brigadier Shehu Musa Ya'Adua who was the then chief of staff, supreme Headquarters in his forward to the guidelines said:

The defects of previous Local Government Systems are too well known to deserve further elaboration here. Local Governments have, over the years, suffered from the continuous whittling down of their powers. The State Governments have continued to encroach upon what would normally have been the exclusive preserves of Local Government. Lack of adequate funds and appropriate institutions had continued to make local government ineffective and ineffectual. Moreover, the staffing arrangements to ensure a virile local government system had been inadequate. Excessive politicking had made even modest progress impossible. Consequently, there had been a divorce between the people and government institutions at their most basic levels (FGN, 1976).

The statements of Brigadier Ya'Adua is indicative of the fact that the existing local government system over the country prior to the 1976 local government reforms, had fundamental problems.

It was perhaps, in recognition of this problem and the need for urgent redress that Brigadier (Later Major-general) Shehu Ya'Adua declared that it was necessary to stabilize and rationalize government at the local level through decentralization for some significant functions to local levels in order to harness local resources for rapid development (FGN, 1976).

It is pertinent to stress at this juncture that what distinguishes the 1976 local government reform from all previous reform exercises in Nigeria is its formal and unequivocal recognition of local government as constituting a distinct level of government with definite boundaries, clearly stated function, and provisions for ensuring adequate human and financial resources (Adamolekun, 1979; Gboyega: 1987; and Adeola, 2009:9). Thus, for the first time in the history of Nigerian federation, attempt was made to create a place for local government as a third-tier level of government with emphasis on the autonomy of the said institution.

The 1976 local government reform brought uniformity in to the structure and functions of local government throughout the country. It also brought uniformity in names. All councils were to be known as local councils. To be viable and perform effectively, each local government area is to have a population of 150,000 to 180,000 but no town should be split no matter its population. It is instructive to note that this provision was criticized as being too rigid. Critics argued that there could not be rigid demarcation of local government area with reference to geographical contiguity, population density, resources available and functions. Another major highlight of the reform was the fact that local councils would include elected

representatives and traditional rulers. The elected members are to elect their chairman whose appointment has to be approved by the Governor. The Emir or paramount traditional ruler is to be ceremonial president of the local government councils in his domain. Ayo (1995:3) noted that one issue that was left to local government's discretion was the method of electing council members to the local government.

There was also the establishment of the unified local government service commission which was responsible for the appointment, condition of service, promotion, discipline, transfer, and retirement etc of senior local government officials as from grade level 07 and above. In addition, the functions of the Ministry of Local Government are spelt out and include community development. The 1976 local government reform also made provision for supervisory councilors. They were put in charge of the four prescribed areas which include finance, education, health and work.

The 1976 Local Government Reforms was a clear departure from previous local government reforms in Nigeria in the sense that it established a multi-purpose single-tier local government with complete and self contained budget so that the entire system of local government can be identified, costed and co-ordinated. There was also uniformity in the functions, structure, staffing, administration, relationship with traditional rulers, inter-ministerial relations and the basis of sharing federal and state grants to local government councils and above all the local government was recognized as a third level of governmental activity.

Aworawo and Akpan (2003:228) claimed that in spite of the lofty ideals generated by the 1976 Local Government

reforms, it did not seem to satisfy a large segment of the Nigerian society. According to them, in some states there were conflicts between the legislature and the executive because of disagreements over the number of local governments to be created. Within a period of two years, the number of local government practically jumped from 301 in 1979 to over 700 local governments.

It is important to stress that the 1976 local government reform marked the inception of modern local government administration in Nigeria. The reform according to Okoli (2005:4) formally and legally recognized local governments as the third tier of governments in Nigeria. The reform made deliberate efforts to set up a local government structure aimed at bringing government nearer to the people. As 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.

Local Government Administration in Nigeria from 1983 to 1999

The 1979 constitution further cemented the 1979 reform efforts at resuscitating local government system in the country by recognizing local government as the third tier government. The civilian administration of the second republic headed by Alhaji Sheu Shagari was toppled in December 1983 by the Military junta led by General Buhari and Brigadier Tunde Idiagbon.

Awofeso (2004:94) revealed that by the time General Buhari region ascended political power, local government authorities all over the country were already in a deplorable condition begging for urgent attention. In order to save

local government from imminent collapse, the Buhari region swung into action by taking steps to redress the situation. The military administration that came on board on the 1st of January 1984, abolished the management committees of the Shagari administration. The abolition of the management committees automatically brought to an end the appointment of political office holders. In their place, career civil servants were appointed as sole administrators. Thus, the new local governments created between 1979 and 1983 were dissolved and subsequently a 21-man committee under the chairmanship of Alhaji Dasuki was appointed by the Federal Military Government on the 28th May, 1984.

A summary of the terms of reference of the Dasuki committee which was set up to look into the problems of local government include:

- i. Evolve the most suitable mode of managing the local government within the context of the present military administration
- ii. Re-examine the existing structures, functions and financial resources available to local governments for the performance of those functions.
- iii. Look into the accounting/management (Staff) problems of local government, including the standardization of the various departments of the councils
- iv. Evolve proper place of Traditional Authorities in Local Government
- v. Propose how best to manage inter-governmental relations between federal, state and local governments

and also between local governments and ministries for local government, local service Boards / commissions etc.

- vi. Work out manpower development schemes for all cadre of local government staff; and
- vii. Deliberate and recommend on other matters the committee considers relevant for the improvement of Local Government Administration in the country (Ayo, 1995:4; Awofeso, 2004:95; Gboyega 1987:185).

The committee submitted its report to the Federal Government in September, 1984 and the committee's report was issued by the Federal Government in 1985. The committee reported that the 1976 reforms had more operational rather than structural problems and also stressed the negative roles of the state governments in the administration of local governments in the second republic (Aworawo and Akpan, 2003:229). The committee recommended the retention of single-tier local government and also made a case for strengthening of the status of local government as a third-tier of government.

Adeyemo (1995:29) argues that the autonomy of local government was also stressed. Before now, the ministries of local government and the local government commission posed great threat to the autonomy of local government and to arrest the dwindling autonomy of local government, the federal government ordered the scrapping of the ministries of local government throughout the country; an institution which the state governments have used over the years to police the third tier of government. In addition, Bamidele Ayo (1995) observed that the committee endorsed the federal government's reduction of the number of local

governments from almost 800 to the 301 which was approved in 1976.

Adeola (2009:13) claimed that the IBB years were underlined by political construction and reconstruction of government at the grassroots level. He noted that never at any time had the government at the grassroots been subjected to such whimsical political manipulation. The report of the Political Bureau which was set up by Ibrahim babangida provided a basis for tinkering with the local governments system. The 1988 local government reform takes its bearing from the 1988 civil service reform. The Civil Reform is part of the transition to civil rule programme of the Babangida's administration. The reforms were aimed at changing the administrative structure and the finance of local government in the country radically. As applied to the local government, the reforms objective was to professionalize the local government services for increased performance (Aworawo and Akpan, 2003:230).

At the local government level and with reference to the 1988 civil service reform, the chairman of local government is the chief executive and the accounting officer but he was not allowed to sign cheques. Under the 1988 local government reform, a new organizational structure was also approved for all local governments. Local Governments were to have a new organisation structure of a maximum of six departments which include, Administration, Personnel Management, Finance and Supplies, Planning, Research & Statistics, Education, Agriculture and Natural Resources, Works, Land and Survey, Medical and Health Developments. There were four operational departments which include Personnel Management, Education, Health and Agriculture. Not only were that local governments to

be paid 40% of their statutory allocation directly from the federation account.

Apart from the fact that the guidelines for the 1988 local government reforms provided for a secretary to the council to be appointed as the chief Administrative Adviser to the Executive arm which was made up of the Local Government Chairman, Vice-Chairman and supervisory councilors; it also recognize the doctrine of separation of powers. In this respect, the legislature is given the power to make laws while the executive is charged with the responsibility of executing laws passed by the legislature. The relationship between the executive and the legislative arms of local government shall be synonymous with the constitutional requirements for such relationship as between States House of Assembly on the one hand the States Governor and his commissions on other. Aworawo and Akpan (2003:230) explained that with only the absence of the Judiciary which is present at the state and federal levels, the 1988 reforms created a presidential system at the local government level. Thus, the Babangida administration more than any other administration before it, took the local government to greater heights in an attempt to make it a third tier level government in Nigeria.

Local Government Reforms of 2003

Subsequent military regimes after IBB regime discarded the structured arrangement in the administration of local government in Nigeria. By the time Obasanjo assumed the leadership of the country in 1999, the local government system was characterized by high level of inefficiency and besides being unable to perform its constitutional duties; the local governments were riddled with corruption. Thus, for many years the 774 local governments were not seen

to be performing their functions. Therefore, the Federal Government's plan to reform the local government was considered as timely.

President Obasanjo, while inaugurating the 10-man commission headed by his Royal Highness Etsu Nupe, Alhaji Umaru Sanda Ndayako, gave the following as the terms of reference of the commission:-

- To examine the problem of inefficiency and high cost of governance with a view to reducing costs and wastage at the three tiers of government.
- Review the performance of local councils within the last four years and considered the desirability or otherwise of retaining them as that regard consider, among other options the adoption of a modified version of the pre-1976 local government.
- Examine the high cost of electioneering campaign in the country and consider, among other option, the desirability of where political parties, rather than canvass vote in elections.
- Consider any other matters, which in the opinion of the technical committee as germane to the goal of efficient structure of governance in Nigeria.

There has been a lot of argument over the constitutionality of the decision of obasanjo's administration to set up the commission. Some critics argued that if the governments want reform in the local government, it ought to have set up a constituent Assembly of representatives of the various ethic groups in Nigeria, to deliberate on way to effect the reform. Nigerian's should have been encourage to send memoranda to the Assembly, after which Nigerians should

have been asked to vote in a referendum on the decisions of the constitution Assembly (Punch, 2003)

President Obasanjo, giving the committee a term of reference stated that they should consider among other options, the adoption of a modified version of the pre-1976 local government system of government. The reference to the colonial era councils came as a surprise to many Nigerians, especially those that are aware that the poor condition of the pre-1976 councils led to campaigns to have them democratized and given the appropriate direction. It must be stated that party politics affected, to a large extent, the performance of local governments. As a result of the power the constitution gives state government to control local governments, chairman of councils are put under obligation to take institutions from the state governments.

Also, one other problem faced by local government. The 1999 constitution requires that 10 per cent of the federal government revenue should be allocated to the 774 local governments. States should get 33 per cent of the revenue, while the federal government would use 55 per cent of the revenue. There has been a lot of arguments over the lopsided sharing ratio of the income. It was argued that local governments are closer to the people; hence it should receive more from the central government than it does under this formula. Even then, allocations to local governments in each state go through the state governments, which operates a joint account for its councils. After states have disbursed funds to the councils it "helps" them to spend it.

President Obasanjo also made allusion to corruption in the local government councils when he inaugurated the

new committee. There is no doubt that much of the funds allocated to local councils end up in the pockets of local government chiefs. Beside, the councils all over the country have failed to meet their objectives, not just because of corruption, but because of the caliber of staff who work in the councils. Starting with the politically elected council members, the constitution states that primary six certificate holders are eligible to legislate for local government.

There is no doubt that some of the problems faced by local governments are traceable to the ambiguities in the 1999 constitution. The constitution stipulate that local governments are under the control of state governments, but National Assembly could render the decision of the states on the affairs of the local governments null and void when it is contrary to that made.

While the constitution gives power to the states to legislate on affairs of the councils, the federal government is further empowered to determine local government funds from the centre. Ordinarily, the states that legislate for them should determine what share of funds they should be given. Also, if the councils are under the control of states, states house of assembly should be empowered to create local governments based on needs, instead of Federal government making attempt to void such creations.

Thus, the 2003 Local Government reforms was expected to map up corruption and the constitutional ambiguities which have affected the performance of this important tier of government in Nigeria .

Summary and Concluding Remarks

In the proceeding discussion, attempt has been made to examine the evolutionary trends in local administration and local government system in Nigeria since the pre-colonial period. Our analysis indicates that prior to colonization there were in existence in Nigeria, local administrative machineries founded upon traditional institutions. In the Northern part of the country, the Hausa/Fulani practice a highly centralized form of government with the Emir at the head as both the political and religion leader. In the East, the administrative system was republican and egalitarian in nature why in the Western part of the country, the Oba held power over town. This power was delegated to the Baale who administered a town and village and paid "Isakole" (royalties) to the Oba at specified times of the year.

Furthermore, it was reviewed that although contact with the Europeans dates back to the fifteenth century, it was not until 1861 before the first steps were taken to establish an administration by Britain. The colonial administration that was established was based on indirect rule. Bello-Imam (1990) asserted that available record shows that the first local administration Ordinance was the Native Administration at No. 4 of 1916 which was design to evolve from Nigerians old institutions the best suited form of rule based on the people habit of thought, prestige and custom.

The regions introduced some reforms in their local administration in the 1950s which aimed at enhancing performance. Thus, in the year 1950-55, the first largely elected local government council based on the British Whitehall model emerged in most part of the country especially in Lagos, and the eastern and Western Regions. It can therefore be said that the 1950s was the era of

pupilage for councils in modern local government throughout Nigeria (Igbuzor, 2005).

Local Government administration in the country experience fundamental changes in 1976. The 1976 local government reform created for the first time, a single-tier structure in place of different structure in the various states. Unlike the various inform measures, which were highly restricted in scope and range, the 1976 reforms conceptualized local government as a third-tier of government operating within a common institutional frame work with defined functions and responsibilities.

The 1979 constitution provided for a democratically elected local councils in the country but the Shehu shagari civilian administration neglected these constitutional provisions. No elections were held, rather Sole Administrators were appointed to held local councils through out the country. This systems contained under the Buhari/Idiagbon regime between 1983 to 1984. The IBB regime introduced some reforms aimed at assuring local government autonomy. Most especially the abolition of Ministry of Local Government, and the establishment of the executives and legislatives arms in local councils.

In June 2003, the forums of 36 Governors met and resolve to push for constitutional amendment to empower state Governors to appoint council chairman and councilors. Latter the council of state decided to set up a technical committee on the review of the structure of local government council in Nigeria. Thus, over the years, effort have been made to reform the local government system and increase the participation of the people in grassroot governancé. It is instructive to state that despite this reform, there are problems with the local government system in Nigeria.

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