



## Creation of Local Government as an Instrument of Grass Root Development in Nigeria: A Review

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### **Abstract**

This study examines the justifications for the creation of local government as an instrument of development in Nigeria. It studies the evolution of the local government system in Nigeria during colonial rule and since independence, from the experience of both the military and civilian regimes. It focuses on the 1976 local government reform and legislative reform of the 1999 constitution as amended. The methodology applied is documentary research which relies majorly on secondary sources of data, taking cognizance of the development theory of Seers as a theoretical framework. The study explores the justification of Local government creation as a reflection of true grassroots development in Nigeria. This study proffers vehement recommendations for local government creation, looking at the constitutional and historical perspective of Nigerian heterogeneous nature.

**Keywords:** Local Government, Administration, Development, Inequality, Nigeria

### **Introduction**

It is no doubt that Nigeria was a colony of Britain until it got her independent in 1960. However, Nigeria has presently rated the 7<sup>th</sup> most populated country in the world. It is, therefore, not appropriate or convenient to govern the whole country centrally without sub-units to ease the system of governance. Nigeria after independence metamorphosed from native authority to local government areas. The concept of local administration and local government has remained an issue of contention as to what is the difference between the two concepts. However, many scholars have given various explanations. This paper tried to simplify the two concepts by putting them in such a way that the readers will understand. Local administration is the presence of central government activities such that the government controls the staff and all the finances at the local level. This system does not accommodate election in any form nor constitutional devolution of powers and functions to the local body. An example of local administration is the provision of secondary schools or health care facilities in the local government area because the appointment and the finances are from the central/state government. While local government is the system of governance that is vested in the people of that community and usually they are elected. This system has powers and functions to carry out independently as specified in the constitution. The reason behind this system is intended to teach the local citizens the art of local self-government (Sale and Zoaka, 1998). Another scholar (Baber, 1974) noted that local government is an authority that determines and executes matters within a restricted area inside and smaller than the whole state. Local government involves the administering of services on a local basis by local bodies.

Local government creations in Nigeria were carried out by the various military administrations after the independence in 1960 and the most important recognition of the functioning of the local government was that of the local government reform of 1976 noting it



constitutionally as the third tier of Nigeria's government. Another reform was that of 1999 and presently Nigeria has 774 local government areas.

Nigeria is a large country with varying political, social, cultural and religious differences and has over 250 ethnic groups. With the above-mentioned factors, each group will want to be recognized and be allowed to govern their people. However, if that is allowed the aims and objectives of local government creation and amalgamation of the country will be defeated. Therefore, conditions were spelt out for any prospective agitators and if such conditions were met, then considerations for such creation are carried out. No single local government has been created by any of the democratic regimes so far in Nigeria. Yet the country's population is increasing day by day and also more agitations for local government creation in Nigeria. More local government areas must be created to bring government and governance closer to the people and improve rural development in all aspects of life, be it political, social and economic sectors.

### **Theoretical Perspective**

#### **Seers' Theory of Development**

In contribution to this Seers (1969), stated that the questions to ask about a country's development are: What has been happening to poverty? What has been happening to unemployment? And, What has been happening to inequality? If all three questions have been declined from high levels, then beyond doubt this has been a period of development for the country concerned, if one or two of these central problems have been growing worse, especially of all the three, it would be strange to call the resulting development even if per capita income doubled.

Seer's views are important for an understanding of developing countries like Nigeria because it is centred on the improvement in the living condition of individuals. This implies an economy can grow without development. As such the study applies Dudley Seers' theory of development (seers,1969). However, it has been stated earlier that third tiers of government were established by the government to combat mass economic productivity through skills acquisition and bringing the government close to the people. In simple terms, the facts are to reduce the national underdevelopment and enhance domestic value addition of food Input, human capital investment in the "Political System" or "conversion Process", as well as the creation of new ways of getting government closer to the people and self-empowerment to serves as the "output". The higher institutions, government policies and business environment serve as the environments that influence the system. Having analysed Seer's theory the study thereby aligns with Seer's development theory for better reduction of poverty, unemployment and inequality and enhance government policies at the grass root level in Nigeria.

#### **Justifications for Local Government Creation in Nigeria as an Instrument of Development**

Many scholars may view it in a different dimension; however, they will eventually have the same justifications. The general justification for local government creation in Nigeria is to provide easy access to governance on the grass root and for the people to participate in governance. Other key reasons are constitutional development, self-participation and economic revival.

- 1) The constitutional reason, looking at the population and the ethnic groups in the country, it then becomes necessary for policymakers to provide conditions that shall be considered and met before such local government can be created. This is so to curtail indiscriminate demands for local government creation. Usually, the constitutional issues



are population, size in terms of land mass, economic viability, and ethnic groups that will constitute the local government.

- 2) The developmental reason, local governments are created in anticipation to boost the development of the people in the areas of political, social, cultural and economic aspects. This can also be translated to the provision of schools, health facilities, good roads, portable drinking water, and electricity among others.
- 3) Self-participation, local governments are regarded as the third tier of government in Nigeria and remain the closest to the grass root in which the people are allowed to govern themselves.
- 4) Economic viability, in addition to other reasons mentioned above, economic viability is very important not to overburden the central government. The local government should be able to provide the basic amenities from the internally generated revenue before the central government allocations.

To this, the emergence of local government creation should be for its entire perspective. These features, according to Abdullahi (2005), are laws creating a local government, perpetual succession, sealing the doctrine of ultra-vies, making bye-laws, size recognition, a subordinates' system, local scale, election and community services among others.

### **Functions of Local Government**

It is noted that no meaningful government can effectively function from the capital through the civil servants based at the headquarters. It is, therefore, necessary that subunits for decentralization are imperative in order to function effectively and efficiently. The functions of the local government will be two folds. That is the colonial rule and that of the independent government.

Colonial rule: because of the limited resources to govern the entire country, they ended up applying indirect rule which was a result of the structures that met on the ground and were therefore conducive. The main functions were to maintain law and order, and collection of revenue. These functions were further expanded after independence to the West and Northern regions. Part 11 of the local government law, cap 68 comprised of West, Mid-West and Lagos States performs the following functions: Improvement and protection of Agriculture, Ambulance Services, Public Libraries, Amusement and Entertainment, Prevention of soil erosion, Hospital, Maternity homes, Dispensaries, Social Centre and Communal feeding centres and institutions for the aged, destitute and infirm.

The northern region, which is the native authority Law of 1954, consolidated and amended in the revised edition of the Laws of Northern Nigeria 1963, Vol. 1, cap 77 provided a wide range of functions including maintenance of order and good government, prevention of crimes, regulating the use and alienation of land, provision of police, prison and courts before they were taken over by the government and prohibiting the cutting of trees (Zoaka and Saleh, 1998). All other functions were the same in the country. A major breakthrough in terms of the recognition of the local government functions was that of the 1999 Constitution which enshrined the functions into it, becoming a constitutional document as a reference point.

### **The 1976 Local Government Reforms**

The originality of the 1976 local government reforms got its root from the 1974 public service commission's recommendation which was generally known as Udoji Commission Report.



One of the major issues was in the area of the number of tiers of local government. This report suggested that the structure of the local government should be viewed to harmonize a single-tier system (Oyeniran, 1996). This was assumed that it will take care of various conflicts and rivalry between tiers and function duplication. Particularly, the shortcomings of the previous local government system by the federal government noting that the new local government is viewed as intended to stimulate democratic self-government and to encourage initiative and leadership potential. But above all, these reforms are intended to entrust political responsibility to where it is most crucial and most beneficial, that is, to the people. The government hopes that these reforms would further enshrine the principle of participatory democracy and political responsibility to every Nigerian (Abdullahi, 2005).

In the 1976 local government reforms, it was noted that the size of the local government should not be too large and should not be too small. The population of an eligible local government should be 150,000 to 800,000 (Guidelines for local government reforms, 1976). These reforms also observed that the local people should be allowed to participate in the decision-making process. This was aimed at ensuring efficiency and effectiveness at the local government level. The reforms also provided an avenue for local government autonomy or independence from the states and the composition of the local government should be 75% of elected members and 25% of nominees from the states and there should be a division of work in form of departments. The main objectives of the military government as of then:

- 1) To increase the responsibility of local government authorities by a process of decentralization that ensures that appropriate divisions of functions exist between states and local governments and that local government authorities thereby play significant roles in the development process;
- 2) To ensure that participation and involvement begin at the grass root level since local authorities are very close to the people, they are also favourably placed to understand and appreciate the people's demands. Local authorities should hence, serve both input and output functions within the system. They should articulate the demands of the masses and when these are satisfied within the limits of available resources, they should provide authorities with necessary feedback;
- 3) To ensure that both in the short-run and long-run staffing and financial requirement of the local authorities are satisfied; and
- 4) To accord traditional authorities special recognition and in states where that has not been done to give statutory recognition to functions of traditional rulers (Gboyega, 2013).

In the 1976 local government reforms, states were allowed to indirectly or directly adopt elections to local government councils. They were also provided with five options to ensure the re-organization of the traditional leaders and also provided functions that will be performed by the traditional councils:

- a. To formulate general proposals as a piece of advice to local governments
- b. To harmonize the activities of the local government councils through discussion of the problems affecting them generally and giving advice and guidance to them;
- c. Coordination of development plans of the local governments by joint discussion and advice;



- d. Community tax assessment within the area as a whole in consultation with local government councils and announcement of tax. Also to aid as is the usual practice in the collection of taxes;
- e. Determine religious matters where appropriate;
- f. Support for arts and cultures; and
- g. Determination of customary law and practice on all matters including that relating to the land (Abdullahi, 2005).

However, the reform of local government in Nigeria under General Babangida commenced by looking at the report of the 21-member committee constituted by the Buhari administration of 1983-1995, which was popularly known as the Dasuki report. The report of the committee re-examines the existing structure, functions and financial resources, to put in place the position of traditional institutions, work out a manpower development scheme and finally, recommend ways of improving the local government system in the country.

In its submission of a report, Dasuki Committee suggested that the management committee system at the local government should be headed by the Chairman of the council. The committee also adopted the reforms of 1976 but should be reviewed after 10 years. The committee also recommended the establishment of a zonal audit department to audit the finances of the local government. This could not be viable because the regime was overthrown.

In 1986, the political bureau was set up by General Babangida Administration to fashion out a viable political future in Nigeria among many things that were contained in Dasuki's report, including the retaining of (301) local governments as a tier of government. By 1989, additional 149 local government areas were created and two (2) later 140 local government areas were created bringing to a total of 589 in 1991 (Abdullahi, 2005). In carrying out the reform, the Babangida administration considered three things. The first was to ensure the establishment of local government areas to bring the government closer to the people on the grass root. Secondly, was because of the recognition of the local government area to have autonomy and self-rule in order to avoid the agitation for state creation and thirdly, to focus on the economic philosophy of reconstruction, social justice and self-reliance (Olagunji and Oyovbaire, 1991).

However, in acting on the recommendation of the political bureau, the administration established a mechanism that will eliminate the third-party role of the state government in the remittance of the local government share of funds from the Federation Account as of 1989 and this was enshrined in the 1989 constitution. The funds were sent directly to the local government's account and the share was increased from 10% to 15% in 1991 and 20% in 1992. In 1988, the ministry for local government was abolished and replaced with the department of local government as a directive to state governments and the office to be under the state governor's office. A local government commission was also disbanded and the power of recruitment, promotion and discipline was shifted to local governments but later reversed. The Babangida administration set up a technical committee to see to the desirability of applying civil service reforms to the local government service. The committee recommended the following which was accepted by the government:

- 1) The Chairman of the local government should be the chief executive and accounting officer of the local government council. In simple, the Chairman will be accountable both in and out of office like the minister or commissioner in the Federal and State governments;



- 2) The vice chairman and the supervising councillors should become the political heads of their various departments, members of the finance and general purposes committee and in that status, form the local government cabinet; and
- 3) The secretary to the council should remain a career civil servant with a tenure of office, working conditions and functions as provided by the local government service scheme. He should remain the head of service and chief adviser to the local government and its finance and general purposes committee. Moreover, should remain a signatory to the council cheques.

#### **Local Government Structure as enshrined in the 1999 Constitution as amended**

According to Oxford Advanced Learner's Dictionary, a constitution could be defined as a system of laws and basic principles by which a state, a country or an organization is governed. However, the constitution can be defined as a working document containing the fundamental law of a nation, state or organization which is supreme to an individual, or group of individuals either rich or poor that every matter of the country is referred to, for further clarification and it could be written and unwritten. Any law passed by the legislature and inconsistency with the constitution, such law will be declared null and void (Ibrahim, 2018).

The 1999 constitution has recognition for the local government system in part (11) and occupies number seven (7) and section (8) of the constitution of the Federal Republic of Nigeria. Part (11) of the 1999 constitution emphasized on powers of the Federal Republic of Nigeria. Local government all over the globe is seen as a deliberate mechanism put in place to manage the affairs of the populace at the grass root to promote development. This system of governance in Nigeria is dated back to the colonial era. Local government is also seen as the devolution of power, functions and resources of the centralized government. Therefore, the 1999 Constitution has clearly spelt out in strong terms the functions of local government in Nigeria.

#### ***Functions of Local Government as provided by the 1999 constitution as amended***

- 1) To consider and make a recommendation to a state commission on economic planning or similar body on economic planning development of the state;
- 2) Collection of rates, radio and television licenses;
- 3) Building and maintenance of cemeteries, burial grounds and homes for the destitute or infirm;
- 4) Collection of tax through the provision of licenses for bicycles, trucks, canoes, wheelbarrows and carts;
- 5) Building, maintenance and regulation of slaughterhouses, slaughter slabs, markets, motor parks and public conveniences;
- 6) Construction and maintenance of roads, streets, street lightings, drains and public highways, gardens, open spaces or such public facilities as may be documented from time to time by the House of Assembly of a state.
- 7) Naming of roads, streets and numbering of houses.
- 8) Control and regulation of outdoor advertising and pits of all descriptions, shops and kiosks, restaurants, bakeries and other food vendors, laundries and control of liquor selling.
- 9) It is also empowered to provide primary, adult and vocational education.
- 10) The development of agriculture and natural resources potential and



11) The provision and maintenance of primary health care services (Obi and Dalhatu, 2007).

Although, some of these functions are purely the functions of local government, with only a few as concurrent functions with the state government.

### **Achievements of Local Government in Nigeria**

The achievement of the third tier of government in Nigeria is immeasurable being a tier closest to the people. Even it is inevitable for the 3rd tier of government to face certain issues and challenges. Some of its achievements are as follows:

It has made it possible for the people at the grass root level to participate in decisions making. This aid to inculcate the habit of democratic representation. Thus constitutional status for local government has helped to deepen democracy in Nigeria.

- (a) Local Governments also have helped to increase women's voice and representation in our democracy.
- (b) While elections are held regularly and enthusiastically, Grams are not held regularly.
- (c) Most state governments have not transferred significant powers to the local governments nor have they given them adequate resources.
- (d) Better access to world markets in textile goods. Ensure that this is available to the small producer of high-quality woven cloth in silk and cotton all over the nation.
- (e) Better access to the world market in engineering goods. Choose the smaller centres of production of engineering goods tools etc. in places like Alaba market Lagos, Aba market Abia state, Paiko Yam international market, IBB market Suleja, etc, and ensure the spread of knowledge of the world markets among the micro-producers.
- (f) Benefits of building more schools as well as the tertiary institution which gave room for the community members to acquire and have access to more knowledge and values to themselves.
- (g) The benefit of outsourcing even to small towns by drawing in the local young unemployed youth.
- (h) Access to better technologies. Emphasizing the imports of modern technology that can be used by small micro-industries, all over the country.
- (i) It Gross Domestic Product is the value of total production in a given year of the primary, secondary and tertiary (service) sectors minus the raw materials like cotton and intermediate goods like motor parts for industry. This is double counting for a better central statistical organization. Similarly, if we add the income earned in a given year in production, we will get the income measure of GDP. In the same way, we can get the GDP by counting all the payments made in the year. If there are no mistakes made in the three ways of counting, each will give the same Value of GDP.
- (j) Many feeder roads as well as micro and macro banks aid in the development and achievement of Nigeria's local government. Banks keep a proportion of their monies for future use, as well as aid them in loans. To mention but a few.

### **Challenges of Local Government in Nigeria**

Despite the great achievement of the local government, challenges are inevitable:

**The porosity of qualified personnel;** is a handicap faced by local government. Local government is the least attractive of the three tiers of government in Nigeria. Human capital





available is inadequate when compared with those of state and federal governments. This affects local government programmes and project initiation, execution, monitoring, and evaluation as capable hands are in short supply. The phenomenon of brain drain has not helped the death of personnel at these levels of government.

**Political and governmental instability;** leads to policy inconsistency and atrophy. Frequent changes in government officials, commissioners, etc. stalled local government progress.

Availability of white elephant projects; most white elephant projects are often embarked on at the local government level. Be a paucity of funds and improper cost-benefits analysis which leads to rational decisions making. This thereby leads to poor project management.

**Inadequate finance;** most local governments are created for cheap political goals rather than viability. This leads to the most abundant of projects due to poor funding for failure to explore internal sources of revenue generation. Which hinder by corruption and mismanagement of funds at the local government level.

Used of modern management techniques has not been well embraced at the local government level. Most of them operate manually. Operating modern management techniques such as management by objectives, zero budgeting system, plan performance etc which will aid performance and training and retraining of staff that will give the staff self-belonging are not found. To mentions but few which if all satisfactory answer can be given to the above questions Among others and be it government closer to the people, high progress, growth and development will take their course at the grass root level.

### Conclusion and Recommendations

The enhancement of local government development will be a courageous step towards socio-economic and political transformation in Nigerian but the failure to fast track the process of development has largely been on infrastructural decay, endemic corruption, and poor governance and accountability (Okonjo Iweala, Soludo, and Mukhtar, 2013). The study concludes that these challenges are insurmountable given that there is no political will by the political leadership to curb corruption, develop the mechanism to manage the conflicts and crises that are becoming unmanageable and improve social infrastructure that could catalyze industrialization.

In order to curb corruption, further measures must be taken beyond the present EFCC, to monitor the growth of personal wealth in Nigeria as required, as people who could not afford to ride bicycles two years ago and without visible means of livelihood, often transform overnight, parading the latest of big cars on assuming political offices, especially at the grass root.

As rightly observed by Gyong (2011) the study recommends the need for radical development strategies that guarantee inclusiveness as opposed to exclusive in governance and that is people driven from conceptions to implementation. These development strategies must be sustainable with a genuine desire to end poverty, provides productive employment, and satisfy the basic needs of all categories of citizens and fair sharing of surplus value at the grass root level.

Furthermore, the government should develop the political will to tackle the issues involving religious conflicts, and crimes and address them without excessive politicization at the grass root level and across the nation. Moreover, there is a need to pay more attention to agriculture to meet local needs and for exportation. To gain from agriculture rather than serving as the producer of primary products, Nigeria must move towards the global homogenous minimum common technical standard of quality and performance (Alao, 2018). This will make our finished goods to be visually attractive and competitive in the international markets. It required as observed by Tinubu (2009),





the government at all levels must formulate a coherent industrial policy as no modern nation ever reached prosperity without a strong industrial base. Most importantly, some fundamental measures need to be taken in the thinking and actions of the leadership of the country. This, in essence, involved looking inward into the value orientation of the people to reduce to the barest limit, elements of greed, materialism, opportunism and exploitation. These recommendations among others could serve as a realistic approach to the attainment of grass root development.

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