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**Paper Title:
Making Local Governance Work for the People
of Nigeria: The Challenges and Prospects**

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Abstract

This paper submits that the Local Government structure is best positioned for the development of the grassroot, given its closeness to the people with clear mandate functions for service delivery to the people. In this scenario, Local Government is seen as self-government of the local communities to engender participation targeted at driving grassroots development. However, the lacking autonomy in practice is breeding monumental challenges that are closing the space for development.

Keywords: Local Governance, Local Government, Accountability, and Development

1.0. Introduction

I am delighted to be here today to deliver this paper on **Making Local Governance Work for the People in Nigeria: The Challenges and Prospects**, at the the 33rd Annual Conference of the Nigerian Political Science Association (NPSA) on the theme: **Democracy and Development in Nigeria's Fourth Republic: Issues and Challenges**.

This paper briefly highlights the constitutional establishment of the Local Government as a tier of government with its statutory functions, the challenges impeding development at the grassroots, the prospects for an integrated Local Governance approach that works for the people, and capable of delivering public good for the greatest happiness of the greatest number.

ActionAid Nigeria (AAN) is an affiliate member of the ActionAid International Federation with presence in about 43 countries. It works in solidarity with people living in poverty and exclusion to achieve social justice, gender equality and poverty eradication towards achieving a just, equitable and sustainable world in which every person enjoys the right to a life of dignity, freedom from poverty and all forms of oppression.

ActionAid Nigeria (AAN) in its current strategy¹ (2018 to 2023), as one of its objectives, has pledged to enhance peoples' power in democratic and inclusive governance. To achieve this mandate, it is expedient that the democratic structures and governance institutions work for the people. If the argument is that Local Government is the closest tier of government to the people, then it should provide a context within which to build people's power to be part of democratic structuring in Nigeria.

AAN believes that the potentials for building people's power are enormous in a Local Government system that works. Smaller units of decision making provide spaces for citizens input and influence. Where Local Governments are conceptualized as self-government of local communities and for local communities, then the possibilities for the participation of marginalized groups including women and girls, young people and Persons with Disabilities (PWD) can be guaranteed. ActionAid is unapologetic about its efforts at expanding the space for participation of women in decision making processes and leadership positions within governance structures. Our current programme engagements in Women Rights, especially, the Women Voice in Leadership in Nigeria (WOVLIN) funded by the Canadian Government has helped to demonstrate this through empowering women across the country in different walks of life.

¹ <http://www.actionaid.org/nigeria/publications/social-justice-end-poverty-2018-2023>

2.0. The Constitutional Establishment of the Local Government with its Statutory Functions

The 1999 Constitution provides the legal framework for LGA in Nigeria with clear functions and responsibilities (*Section 7.2, Fourth Schedule, 1999 as amended*). The constitution also gives State Government the discretion to determine the nature, content, and direction of Local Governments (LGs). This has allowed LGs to exist under the caprices of State Governments (SGs) whose overbearing approach to LGA has left the latter in undesired conditions. Another provision in the 1999 constitution is the prescription of 774 LGs for the country². This provision is as contentious as it is absurd for two reasons. First, the creation of additional LGs is made confusing and complicated; *Section 8(3)* of the constitution gives SG the authority to create LGs, but such exercise will not be complete without an amendment to the *First Schedule* of the constitution each time more LGs are created by SGs. Little wonder that no additional LGs have been created since 1999. Second, by making it almost impossible to create additional LGs, the constitution has retarded the growth of LGA in Nigeria.

2.1. Key Concepts Contextualization

For a proper understanding of Nigeria's local government system, it is important to underscore the concepts of **Local Governance (LGOV)**, **Local Government (LG)** and **Accountability (AC)** in Nigeria; their symbiotic relationships and imperatives towards bringing effective, efficient service delivery and development to the grassroots (Ani, 2013). It is useful to appreciate how these concepts relate to make development possible and feasible at the grassroots; also, to recognise that real development can only happen in the mix of cooperation, inclusion, and consistent interactions between those who govern, and the people being governed. (Fatile Jacob eds 2013).

a. **Local Governance (LGOV)**, UNDP in its work, "**An Integrated Framework to Support Local Governance and Local Development**", (March 2016) describes Local governance as:

"the whole range of interactions between players at the local level ranging from the Local governments to private sector, civil society and community-based organisations. It is the combined set of institutions, processes and systems through which local authorities interact with and provide services to citizens, groups and local communities"³.

Through local institutions, systems and processes, citizens, groups, and local communities exercise their rights and duties; articulate and aggregate their interests/needs and feed

² This provision is Part 1, First Schedule of the constitution where the LGs are listed along with the 36 states

³ United Nations Development Programme, An Integrated Framework to Support Local Governance and Local Development, March 2016 page10

them into (accountability) mechanisms that are accessible to local authorities for use in influencing LG's policies and actions.

- b. **Local Government (LG)** is the governing body created by Law and/or Constitution for the purpose of administering a defined geographical area and population at a local level (Blair, 1977). LG has processes, institutions, mechanisms, and systems by which it exercises taxing and spending powers for the benefits of the people at the local level. Also, it has political, fiscal, and administrative instruments of public accountability at various spheres of local governance namely.
- c. **Accountability** is one of the tools or instruments by which both the **LG** and **LGov** interact with each other for the purpose of service delivery and development to the people. Accountability is therefore engrained in both **LGov** and **LG**, it is an instrument through which people demand for their rights and influence the LG for provision of social services and development projects to their local communities.

Nigeria's federating unit recognizes the local government as the third tier of government and the constitution guarantees its existence under Chapter 7 and under the 4th schedule list the functions of the local government which include but are not limited to development, planning, management of certain categories of taxation and finance, provision of basic services etc.⁴ Some of the strategic functions are highlighted below⁵;

- Provision of Primary Healthcare service to grassroots.
- Provision and Maintenance of Local Government education authority.
- Provision of Water and basic amenities.
- Making recommendations to state on economic planning etc
- Collection of rates, radio and TV licenses
- Licensing of trucks, bicycle, canoes, wheelbarrow etc
- Establishment 7 maintenance of cemeteries, slaughterhouses, motor parks, public conveniences etc
- Construction and maintenance of roads, streets, street lightening, drainages etc
- Naming of roads and streets
- Sewage and refusal disposal
- Registrations of births and deaths, marriages etc

Following the enumerated functions above, Local Government can be effectively linked to grassroots participatory democracy, as an organ of self-government of the local

⁴ Ozohu-Suleiman Abduhamid and Paul China (2015) Local Government Administration in Nigeria: The Search for Relevance, in Commonwealth Journal of Governance, December 2015, <http://epress.lib.uts.edu.au/ojs/index.php/cjlg>

⁵ Shamsuddin Bolatoto and SiddigBalat Ibrahim (2012) Challenges of Local Government Administration in Nigeria: An Appraisal of Nigerian Experience, in International Journal of Science and Research (IJSR)

community. The collective participation of people in the provision of social services empowers such communities to be effectively involved in the creation of structures and design of interventions that are inherently people centered and responsive to their needs. However, this scenario is a function of a truly working local government backed by a constitution that recognizes local government as an autonomous sphere of governance equipped with legal powers and financial autonomy and with clearly defined roles and responsibilities⁶

3.0. The Challenges Impeding Development at the Grassroots

While the constitution guarantees the existence of the Local Governments, the basic ingredients required to allow for the proper functioning of local government in meeting its development objective as the closest tier of government to the people are inherently lacking; this hindrance can also be situated within the same constitution that guarantees its existence. Section 7 (1) of the 1999 Constitution provides that: The system of local government by democratically elected Local Government is under this constitution guaranteed, and accordingly, the Government of every State shall subject to Section 8 of this Constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance, and function of such council⁷.

The above provision jeopardizes the financial and administrative autonomy of local government and effectively puts local government at the mercy of the state and federal government. Herein lies the bane of Local Government underdevelopment in Nigeria. Local government depends on allocations from the Federal Government and State Governments through the instrumentality of joints accounts that are utilized at the discretion of the state executive. This effectively undermines the availability of resources at the LGA to meet its development objectives and has moulded Local Governments that lack accountability, fiscal management processes, politicization of processes, inadequate human resources, and poor service delivery.

The failure of local governments in all spheres of its existence, planning and development, service delivery, local democracy among others over the years has contributed to the erosion of trust in government, deepened poverty, and inequality, facilitated a disconnect between the people and the government, undermined attempts by the people to participate effectively in governance and enhance a culture of accountability in public finance.

⁶ Assessing the Institutional Environment of Local Governments in Africa” 2013. UCLG Africa & Cities Alliance

⁷ Ozohu-Suleiman Abduhamid and Paul China (2015) Local Government Administration in Nigeria: The Search for Relevance, in Commonwealth Journal of Governance, December 2015, <http://epress.lib.uts.edu.au/ojs/index.php/cjlg>

Over the years, Nigerians have engaged the non-functioning of Local Government from a realization that it presents the best route to authentic democracy and governance at the service of the people. Since the return to democracy in 1999, one of the key highlights of citizen's engagement of the constitution reform process through the various legislative assemblies has been the agenda for Local Government autonomy. However, the need for autonomy has not been achieved given varied interest and the fundamental requirements of amending the constitution.

To remedy the LG finance gaps, the National financial Intelligence Unit gave directives that local government funds should be paid directly into local government accounts and used solely for the purposes of local government expenditure⁸. While Governors were up in arms on the legality of the directive, the NFIU based its justification on the provisions of Section 7 of the Constitution of the FRN, 1999 (as amended) and in the National Financial Intelligence Agency Act, giving the agency powers to make regulations regarding the utilization of revenues from the Consolidated Revenue Account of the Federal Government. While this is a welcome development, there are concerns that state executive may use appointed administrators or Chairmen to circumvent the regulation.

4.0. Prospects for a Local Governance Model that Works for the People, and Capable of Delivering Public Goods.

ActionAid Nigeria's (AAN) demography covering the 36 states of the federation including the Federal Capital Territory (FCT), represents a significant coverage to build Local Governance models that can become a reference point for Local Government administration reforms in Nigeria. It places ActionAid at a vintage point in driving the agenda for reforms in the country.

As an organization, one of AAN's key strengths is the connectedness to the local populace and rootedness in community mobilization, organizing and engagement. AAN's work transcends different levels of the polity by virtue of its constituents, 'the poor and the vulnerable' dwelling mainly at the local communities. Within this scenario, it shows that Local Government is the closest tier of government to the people; a Local Government that functions effectively and efficiently provides the opportunity for people to contribute meaningfully to the socio-political and economic organisation of society. The concept of Local Government is framed within a context of local representative governance. Its duties and responsibilities have direct bearing on the socio-economic conditions of the people. The key principles of democracy find expression in Local Governance participation, accountability, transparency, among others.

⁸ <https://dailytrust.com/the-nfiu-guidelines-on-lg-funds>

Overtime, ActionAid with its partners and other stakeholders have tried through an approach of strengthening Local Government institutions, systems, and processes (planning, budgeting, and Monitoring) to create the necessary conditions for the proper functioning of Local Governments. Undoubtedly, there has been progress made towards this approach to enable Local Governance processes deliver services, especially in the areas of Education and Health care.

These initiatives have been pursued through the ActionAid's Local Rights and Governance Programmes, focusing on building accountability relationship between the people and local actors⁹. This is done using accountability tools such as the community development charter, Social Auditing, and infrastructure audits, that are coordinated and facilitated through community structures like the youth groups, Town Unions, and the School Based Management Committees (SBMCs). In addition, AAN has carried out management of Primary Health Care (PHC) facilities through the Ward Development Committees in the communities. The success of these initiatives provides insights of how a model Local Governance works for the people. The above scenario provides the bases upon which ActionAid anchors its holistic Local Governance and Accountability programme, as part of its contribution towards effective and efficient Local Governments systems in the country.

In addition to the the geographical coverage, the thematic and the programmatic areas that AAN engages on provides leeway into influencing key policy processes and outcomes covering a wide range of developmental issues in the LGs, including public finance and taxation, agriculture, education, health, social investments, humanitarian and resilience, elections, anti-corruption, women's rights, among others. Its experience using participatory approaches and tools can become a veritable fulcrum for engendering participatory governance at the local government level.

Conclusion

In conclusion, to Make Local Governance work for the people, the imperative of an integrated approach to Local Government reform that is directed towards development is attainable. From the foregoing, LGA in Nigeria can only thrive, when all the development apparatus become active and committed towards the achievement of the following recommendations below.

- Secure, stable, and peaceful environment
- Inclusive, accountable, and transparent democratic governance

⁹ <https://nigeria.actionaid.org/publications?page=13>

- Effective and efficient civil service administration
- Effective, efficient, inclusive, and transparent management of public resources
- Improved socio-economic opportunities and youth employment.

These suggested recommendations above could be further categorized into four broader areas below, namely,

Legal/Constitutional Framework

- a) The functions, spending and taxing powers of LG should be clearly spelt out in the Constitution and by Law, in an unambiguous manner that removes any overlap in the powers and responsibilities of Local and State Governments.
- b) LG's financial autonomy was guaranteed in the 1979 Constitution and the 1976 Guidelines for LG reforms. LG's financial autonomy should be restored and made inviolable.
- c) The constitution should provide for a Local Government Service Commission to take charge of training, development, promotion, and discipline of LG personnel.
- d) Amendments to the 1999 constitution, complete overhaul of provisions for LG in the constitution should be carried out.

Administrative and Political Framework

- a) Local governments must be fully democratic and representative of the people with periodic elections that allow citizens to elect their representatives/political leaders. The present situation in most LGs in Nigeria where Caretaker Committees are appointed by State Governors to manage LGs should be illegalized.
- b) Mechanisms for cooperation between local and state governments should be established and strengthened to promote best practices and to enhance synergy and partnership for local development.

Public Finance Management Framework

- a) System and processes of budgeting at the LG level need to be overhauled to be in consonance with present day best practices. Development should be the focus of local government budgets. The traditional line-item budgeting that allows for moribund projects should be replaced by Zero-based or performance budgeting that will allow projects to compete for financing based on their relative importance to the people.
- b) LG expenditures should be monitored and controlled through internal mechanisms within the Local Government without recourse to higher levels of government. In this regard, the office of Auditor General for Local Government should be strengthened in each state and should be made independent for optimal performance.

Accountability & Participatory Framework

- a) Rule of law and the supremacy of laws should be made sacrosanct, and the principle of equality should be embraced in the management of LGs so that citizens will become conscious of the need for local and national development through egalitarian pursuit by government.
- b) Political accountability should be guaranteed whereby elected local officials are accountable to their constituencies. The provision for Recall should also be made less cumbersome for the promotion of good governance and accountability.
- c) Financial accountability should be enhanced and enforced at local level. Sanctions for financial crimes as listed in the financial memoranda should be made sacrosanct and sanctions on culprits should be locally imposed on any erring official who may even be prevented from partaking in local governance in the future once indicted.
- d) Increased community participation in local governance will enhance better performance in provision of social services that are truly local in nature and meet the developmental needs of local communities.

Footnotes:

1. <http://www.actionaid.org/nigeria/publications/social-justice-end-poverty-2018-2023>
2. This provision is Part 1, First Schedule of the constitution where the LGs are listed along with the 36 states
3. United Nations Development Programme, An Integrated Framework to Support Local Governance and Local Development page 10
4. Ozohu-Suleiman Abduhamid and Paul China (2015) Local Government Administration in Nigeria: The Search for Relevance, in Commonwealth Journal of Governance, December 2015, <http://epress.lib.uts.edu.au/ojs/index.php/cjlg>
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