

## Local Government Autonomy in Nigeria: Its Problems and Prospects

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### ABSTRACT

Local Government (LG) is the closest tier of government to the people, and the quest for local government autonomy still generates exciting and healthy debate in Nigeria. This study examines critically the opportunities and problems, which confront the Nigerian local government system in its efforts to establish itself as a true tier of government. The objectives of the study were aimed at achieving some specific goals which were to find out why the practice of complete local government autonomy is difficult in Nigeria; to investigate the level of autonomy in Nigeria local government system, and to suggest measures that can be adopted to check state interference in the local government affairs in Nigeria. Three hundred (300) questionnaires were distributed to the staff in Nkanu west local government area while two hundred and seventy-six (276) were properly completed and returned. A five-point Likert scale was used for making data analysis. The theoretical framework adopted in this study is the Marxist theory. The proponents of this theory see local government as an instrument of the central governments, which works either as a direct means of securing proletarian compliance through suppression. The findings revealed that there were constitutional loopholes or contradiction that tends to provide the impetus for the unscrupulous state of officials to nurse the inordinate desire for hedging in the local government left, right and center. However, the findings also revealed that the area of jurisdictional rivalry between the state and local governments are mainly the lucrative ones, like rate collection, distribution of fertilizers, and other farm inputs like pesticides. Recommendations were made that local Government autonomy is anchored on an improved revenue base, adherence to constitutional provisions, political stability, accountability, and transparency in governance.

**Keywords:** Nigeria local government system; Political stability; Federation; Federal structure

### INTRODUCTION

An inalienable feature of any discussion of the functions of local government under the exclusive and concurrent lists in the constitution is the analysis of the intergovernmental relations and their implications to the newly found authority for the local government system since the question of relative autonomy for local government in Nigeria is a recent phenomenon at least from the point of view of official legitimation. Jurisdictional hindrance of their official operations and or responsibilities to both the citizens and central, regional, or state governments were hitherto comparatively uncontentious. This position was understandable, as these local authorities were by and large creations of the regional and later state governments. They, therefore, carried on such functions as were assigned to them by the regional/state governments. By the same token, their autonomy varied in degree and pattern from state to state. Being the derivative of state government, they were deemed to be tied to the “apron string”, as it were, of the state governments,

which is another way of saying that they were mere extensions of state governments. Thus, Nigerian Federalism was, during this period, practically a two-tier federal structure. Yielding to internal and external pressures to reform the federal structure at least along with modern patterns, the federal government embarked upon nationwide and through going reforms, which henceforth gave it a tier status within the Nigerian Federal Structure. A prominent feature of this reform is the statutory appreciation of the autonomy and powers of the local government that now became a tier of government in the federation.

In Nigeria, the recognition of local government as the third tier of government in 1976 reform placed the local government on the front burner for local peculiarities and problems. Subsequent reforms like 1988 and 1991 lent credence to the autonomy of local government. These reforms introduced to the local government, the presidential system of government as it used to be at the federal and state levels. The development was regarded as a test tube for

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the nation's grassroots democracy. Even today, there are still calls for the creation of additional local governments.

Therefore, the focus of this research work is to critically examine local government autonomy in Nigeria. Its problems and prospects in Nkanu West Local Government Area.

This study examines local government autonomy in Nigeria with particular reference to Nkanu West Local Government Area of Enugu state. In the light of the above, this work is set to address the following problem,

- i) Why is it difficult to practice enduring autonomy in Nigeria's local government system?
- ii) To what extent is local government autonomy practiced in Nigeria?
- iii) What measures can be adopted to check state interference in local governments' affairs in Nigeria?

### Objectives of the study

The objectives of this study are:

- i) To find out why the practice of complete local government autonomy is difficult in Nigeria.
- ii) To investigate the level of autonomy in Nigeria's local government system as it concerns Nkanu west local government area.
- iii) To suggest measures that can be adopted to check state interference in the local affairs in Nigeria.

### Significance of the study

This study has empirical, theoretical, and academic significance.

- i) **Empirically:** The outcome of this will enable the population of Nkanu west to come to terms with why Nkanu west has been unable to enjoy local government autonomy.
- ii) **Theoretically:** This work is significant because it has added to the literature base on local government autonomy in Nigeria.
- iii) **Academically:** The outcome of the study will be a contribution to the existing literature in the area of local government autonomy.

### Factors responsible for lack of autonomy

One of the constraints of the local government is inadequate local financial resources. Each local government in Nigeria depends largely on the statutory allocation from the federal government and the state. Outside, this allocation, other aspects of revenue are being obstructed by many factors. Due to lack of enough capital or fund, payment of staff salaries and allowances often become a problem subsequently to execute the meaningful project in the local government is a difficult task. But the guidelines on local government reforms stated that local governments in Nigeria, for instance from the federal government whittles down the autonomy of the local government.

Another factor, responsible for this lack of autonomy is personnel problems local governments in Nigeria face several personnel problems, which militate against the effective performance of their

function. opined that politicization is a process by which politicians control bureaucracy through manipulating recruitment, education, training, and promotions to imbue bureaucracies with overt explicit commitments to the political goals of the government of the day. As rightly stated, recruitment practices based on patronage, have created problems of redundancy in local government where stern measures like termination of appointments and suspension of staff are rarely contemplated [1,2].

Also, the draft constitution of 1999 further contradicted the autonomy of the local government as a meaningful tier of government. By the term, "tier" as used in this context means a set of local governments with their own identity, powers, and sources of revenue established under state legislation and with functions for which they are responsible to the state. It is contained in section 7, subsection (1) of the draft constitution of 1999 which states as follows:

Subject to the provision of this constitution, the executive powers of a local government shall be invested in the chairman of local government council and may subject as afore-said, to the provisions of any law made by the House of Assembly of the state within whose boundaries the local government area is situated and a by-law made by the local government council, be exercised by either directly or through the vice-chairman of supervisory councilors of the local government or officials in the service of the local government.

The above-cited provision of the constitution would portend intractable inter-government problems in which the local government is the "whipping child" constitutional loopholes or contradictions tend to provide the impetus for the unscrupulous state of officials to nurse the inordinate desire for hedging in the local government left, right and center, the insincerity of the three constitutions claiming to provide a full tier local government is borne by our experience since the local government reforms of 1976 [3].

### Operationalization of key concepts

A research work of this nature cannot successfully be dealt with, without an adequate definition of the key concepts adopted. Because of this, we shall operationalize the following concepts:

- a) **Autonomy:** The concept of autonomy within the context of local government administration is the elbowroom and freedom of the local government to made decisions within the powers and functions to it by law within its sphere of influence. This simply implies the enjoyment of self-governing status. In other words, it refers to the right or freedom of a body to set the parameters of its operations.
- b) **Constitution:** A constitution is a body of rules and regulations that regulates the activities of the government of a state, an institution, or an organization. It is an agreed set of rules prescribing the organization of the government of a country.
- c) **Democracy:** The word "democracy" when translated means people's power giving to the people. Consequently, when one talks of democracy in government, he refers to a system, which gives the power of governing the people to the people concerned. By extension, therefore, a democratic local government system is that which transfers the powers of governing the local people from any higher tier of external government to the local people themselves through their representative in the local councils.

- d) **Local government autonomy:** Local government autonomy loosely refers to the degree of freedom accorded the third tier of government concerning legal, administrative, and financial independence within constitutional limits. That is, the freedom to perform specific functions without reference, from the legal point of view to any other level of government.
- e) **Tier:** This is one of the several levels in an organization or system of government. In this context, it refers to the third tier of government (local government).

### Theoretical framework

There exists an array of eminent theorists that produced extensive interaction in the field of local government in plural societies/states. The Nigerian state is a plural state and given the focus of this study, which is to examine the extent of local government autonomy, the Marxist theory has been adopted as the theoretical framework.

The Marxist analysis sees local government as an instrument of the federal and state government, which works either as a direct means of securing legitimacy for the ruling class or securing praetorian compliance through suppression. The theory argues that local government is a key part of the capitalist society. Being part of the whole capitalist state which is a relatively autonomous instrument of class domination helps the state in performing its primary role [4]. succinctly put it, the state is a product of society at a certain stage of development, it is the admission that this society has become entangled in an insoluble contradiction with itself, that it has split into irreconcilable antagonism which it is powerless to dispel. But so that these antagonisms, these classes with conflicting economic interests might not consume themselves and society in fruitless struggles, it becomes necessary to have power, seemingly standing above society, that would alleviate the conflict and keep it within the bounds of "order" and this power, arise out of society but placing itself more and more from it, is the state [5]. Using Marxist theory attempts to demonstrate in his book that even an initially left inclined local authority, is obliged by the nature of capital to suppress agitation for more egalitarian policies. The analysis of the autonomy of local government in Nigeria in terms of the interest of capital and pushing this argument, draw greatly on the studies of Marxist orientation. The local government autonomy in this class society is, therefore, more apparent than real for the local government remains the instrument of the dominant classes for exploitation and suppressing the subordinate classes.

It is within the context of the specific character or nature of the neo-colonial state of Nigeria that one can understand and explain the ugly incidence whereby the state uses local government as one of its agents of suppression. It is based on this context that the realization of the objectives for the guidelines for local government reforms in Nigeria has been constrained by several factors such as personnel problems, the problem of corruption, the loss of autonomy, financial problems, etc.

The relevance of this theory to the study on local government autonomy in Nigeria. A case study of Nkanu west local Government can best be appreciated by its focus or emphasis to serve as an instrument for rural development. The primary purpose of local government is to bring government to the local communities so that the local people can participate fully in the process of government

to provide essential local services.

The establishment of local government fosters local democracy. As the government is grassroots-based consisting of small units of local communities upon which political powers are developed to cater for their needs, it engenders greater participation of the people in the process of government. This includes the election of councilors by the electorate, serving as councilor, and campaigning for local government elections. With this greater involvement in the process of local government, the people develop a keen interest in the conduct of local affairs and politics generally; local government activities generate political consciousness and awareness and further enhance the incidence of political participation. The local inhabitants take interest in the discussion of the affairs of government and sometimes make valuable inputs into the process of government. The councilors have a face-to-face relationship with the people and hence through regular and constant interaction and informal discussion with them, identify their interests, needs, problems, and priorities which are channeled to the appropriate level of government (local, state, or federal) for consideration. As the government is nearer to the people, they are fully aware of its policies and activities. Hence the people can react against bad policies, corruption, and mal-administration. Moreover, local government engenders public accountability as the councilors and officers are responsible and accountable to the local people.

Local government is designed to serve as a viable instrument for the rapid and even development of local communities. Therefore, it seeks to exploit, tap, mobilize and harness the available human and material resources of local communities and local leadership potentials for rapid community development. Local communities are fully involved in the identification of their priority needs and the evolution of effective strategies for their efficient execution. As local initiative responses to local needs and conditions are maximized, and healthy competition among various governments is promoted, socio-economic development is highly accelerated. Moreover, local government areas serve as centers of social and economic development. Local government headquarters attracts increased and diversified economic, commercial and political activities. Thus the local government is designed to lay a solid political and economic foundation for grassroots socio-economic and political development. As president Babangida put it: "Growth points must emerge from local government areas and provide the much-needed push to activate and energize productive activities in rural Nigeria and to reverse the phenomenon of rural-urban drift".

The local government ensures even development as their areas serve as units for sharing local government amenities and offices, e.g. sitting of industries, schools, medical establishments, appointments of ministers, commissioners, members of boards and commissions, and so on. It is also used for sharing state or national government scholarships and for giving financial grants to various areas. In Nigeria, it is additionally used as a basis for the sharing of the federation accounts. By this measure, it ensures that development is not concentrated in few areas.

### Location of study

Nkanu west local government is the study area of this research work. It is one of the local governments carved out from the Nkanu local government. Nkanu west comprises Agbani, Akpugo, Amuri, Ugboauka, Nara, Obe, Ozalla, Mburumbu, Ubahu, Amodu,

Akegbe-Ugwu, Umueze, Nkerefi. Nkanu west local government headquarters is located at Agbani.

It is worth noting that Nkanu west local government is principally a rich agricultural area, for this reason, the citizens are predominantly artisans, farmers, and traders [6]. The local government has many big markets where people from different states converge to buy some agricultural products but, these markets are not well organized to boost the economy of the local government. This is because their market days come up every four days. It is also necessary to state that this local government has many educated and highly placed individuals. Despite this, the poverty level is still high in the area. Nkanu west local government has many entrepreneurs, but these entrepreneurs are mainly based in urban areas. The local government also has few cottage industries such as palm kernel processing industries, oil, rice mills, and Garri processing industries.

### Population

The local government has six (6) departments namely: Department of Works, Health, finance, agriculture, social welfare, and personnel department. These departments comprise a workforce of six hundred (600). This number makes it convenient for the researchers to select 300 respondents for the local government.

### Sampling technique

In this study, a stratified random sampling technique was used to select respondents to be included from each department. The use of this technique enabled the researchers to pick those who met the purpose of this research.

### Sample size

Fifty (50) respondents were chosen from each of the departments, giving a total of three hundred (300) respondents. Two hundred and seventy-six (276) were properly completed and returned and twenty-four (24) were unreturned. Therefore, we base our research on the 276 questionnaires returned.

### Method of data analysis

A five-point Likert scale was used for making analysis. The "Agree-Disagree" response pattern was employed. Weights were assigned to responses as indicated in the table. The mean scores were calculated. The decision rule was to accept the item that has a mean score of 3.50 or above.

### Data presentation

Indeed, a total of three hundred (300) questionnaires were issued out to the different departments, but only 276 were returned as shown in Table 1. The study analysis is based on the 276 questionnaires returned (Table 1).

The data generated from the questionnaires in respect to local government autonomy in Nigeria were summarized and analyzed as presented in the tables below (Table 2).

From the Table 2 above, 154 (55.8%) respondents are male, while 122 (44.2%) are female. The table shows that there are more males than females among the respondents from the various departments in the local government (Table 3).

The above Table 3 shows that 122 (44.2%) respondents are married, 149 (53.9%) are single while 5 (1.9%) respondents are divorces. This table shows that majority of the respondent is single (Table 4).

Table 4 depicts that 70 (25.4%) of the respondents fell within the age limit of 21-30 years, 96 (34.8%) were within the age range of 31-40, 75 (27.1%) fell within the age of 41-50, while 35 or 12.7% are those respondents whose ages fell within the age range 60 years and above (Table 5).

From the Table 5 above, 30 (10.9%) of the respondents had the first school leaving certificate, 45 or 16.3% respondents were those with SSCE or GCE, 54 (19.6%) were holders of the OND/Equivalent, NCE/Equivalent was 59 (21.3%). Those having Bachelor's degrees were 50 or 18.1% while 38 (13.8%) were those respondents with the Master's Degree. From this table, we discovered that those with NCE/Equivalent had the highest despondence of 59 or 21.3% (Table 6).

Table 6 above depicts that length of service distribution of respondents 70 or 25.3% was respondents that fell within the length of service 1-10, 88 or 31.9% were those respondents that fell within the length of service 11-20, 66 or 23.9% were those respondents that fell within the length of service 21-30, while 52 or 18.9% were those that fell within the length of service years 31-40 years (Table 7).

In Table 7, 70 or (25.3%) of the respondents were in salary grade levels 01-07, 74 or 26.8% of the respondent in grade levels 08-10, 82 or 29.8% were in grade levels 12-14 while those in grade level 15 and above were 50 in number representing 18.1%

Table 1: Questionnaire distributions.

Department	Population of study/No of questionnaire	No of questionnaire collected	No of questionnaire uncollected
Works	50	44	6
Health	50	47	3
Finance	50	48	2
Agriculture	50	43	7
Social welfare	50	45	5
Personnel	50	49	1
<b>Total</b>	<b>300</b>	<b>276</b>	<b>24</b>

Source: Anayochukwu, G.I., and Ani, V.A. fieldwork (2021)

Table 2: Personal data/gender.

Sex	Frequency	Percentage %
Male	154	55.8 %
Female	122	44.2 %
Total	276	100 %

Source: Anayochukwu, G.I., and Ani, V.A. fieldwork (2021)

Table 3: Marital status.

Marital status	Frequency	Percentage %
Married	122	44.2 %
Single	149	53.9 %
Divorce	5	1.9 %
Total	276	100 %

Source: Anayochukwu, G.I., and Ani, V.A. fieldwork (2021)

**Table 4:** Age distribution of respondents.

Age range	Frequency	Percentage %
21-30 years	70	25.4%
31-40	96	34.8 %
41-50	75	27.1 %
60 years above	35	12.7 %
Total	276	100%

Source: Anayochukwu, G.I., and Ani, V.A. fieldwork (2021)

**Table 5:** Educational qualification of respondents.

Education qualification	Frequency	Percentage %
FLSC	30	10.9 %
SSCE/GCE	45	16.3 %
OND/Equivalent	54	19.3 %
NCE/Equivalent	59	21.3 %
Bachelor's degree/HND	50	18.1 %
Master's degree	38	13.8 %
Others	-	
Total	276	100%

### Substantive data

A five-point Likert scale was used for making analysis. The mean scores and percentage were calculated. The decision rule was to accept the item that has a mean score of 3.50 or above.

7. **Question:** Do you agree that the poor management of Nkanu west local government could not guarantee its autonomy? (Table 8).

$$\text{Mean } (\bar{X}) = \frac{\sum FX}{\sum X} = \frac{984}{276} = 3.57$$

The decision rule is to accept where the mean score is 3.50 and above and to reject where the mean score is less than 3.50. From the analysis made in Table 8 above, 94 respondents strongly agreed and 88 agreed that the poor management of Nkanu west local government could not guarantee its autonomy. 9 respondents were undecided, 55 disagreed and 30 strongly disagreed with this view. The percentage of the respondents who supported this view was 65.9% as opposed to 34.1% of those who disagreed and those who were undecided on this point. The mean score is 3.58. So we accept that poor management of Nkanu west local government could not guarantee its autonomy (Table 9).

8. **Question:** Do inadequate financial resources and a reasonable degree of discretion a constraint to local government autonomy.

$$\text{Mean } (\bar{X}) = \frac{\sum FX}{\sum X} = \frac{971}{276} = 3.52$$

From the analysis made in Table 9 above, 102 respondents strongly agreed and 92 agreed that inadequate financial resources and a reasonable degree of discretion are a constraint to local government autonomy. 5 respondents were undecided, 57 disagreed and 20 strongly disagreed with this view. The percentage of the respondents who supported this view was 70.2% as opposed to 29.8% of those who disagreed and those who were undecided on these points. The mean score is 3.72 so we accept that lack of financial resources and

a reasonable degree of discretion is a constraint to local government autonomy (Table 10).

**Question:** Do you agree that there was no autonomy of local government in Nigeria?

$$\text{Mean } (\bar{X}) = \frac{\sum FX}{\sum X} = \frac{970}{276} = 3.51$$

From the analysis made in Table 10 above, 95 respondents strongly agreed and 95 agreed that there was no autonomy of local government in Nigeria. 7 respondents were undecided, 29 disagreed and 50 strongly disagreed with this view. The percentage of the respondents who supported this view was 68.8% as opposed to 31.2% of those who disagreed and those who were undecided on this point. The mean score is 3.57. So we accept that there was no autonomy of local government in Nigeria (Table 11).

**Table 6:** Length of service in years.

Length of service	Frequency	Percentage (%)
1-10	70	25.3 %
11-20	88	31.9%
21-30	66	23.9 %
31-40	52	18.9 %
Total	276	100 %

Source: Anayochukwu, G.I., and Ani, V.A. fieldwork (2021)

**Table 7:** Salary grade level.

Salary grade level	Frequency	Percentage %
01-07	70	25.3 %
08-10	74	26.8 %
12-14	82	29.8 %
15 and above	50	18.1 %
Total	276	100 %

Source: Anayochukwu, G.I., and Ani, V.A. fieldwork (2021)

**Table 8:** Poor management and autonomy.

Options	F	X	%	FX
Strongly agree	5	94	34.0	470
Agree	4	88	31.9	352
Undecided	3	9	3.3	27
Disagree	2	55	19.9	110
Strongly disagree	1	30	10.9	30
Total	15	276	100%	989

Source: As analyzed from the questionnaire (item No7)

**Table 9:** Inadequacy of finances versus local government discretion.

Option	F	X	%	FX
Strongly agree	5	102	36.9	510
Agree	4	92	33.3	368
Undecided	3	5	1.9	15
Disagree	2	57	20.7	114
Strongly disagree	1	20	7.2	20
Total	15	276	100	1027

Source: As analyzed from questionnaire No. 8.

**Question: Does the politicization of local government bureaucracy in Nigeria account for its lack of autonomy?**

$$\text{Mean } (\bar{X}) = \frac{\sum FX}{\sum X} = \frac{1023}{276} = 3.71$$

From the analysis made on Table 11 above, 90 respondents strongly agreed and 95 agreed that politicization of local government bureaucracy in Nigeria accounts for its lack of autonomy 12 respondents were undecided, 29 disagreed and 50 respondent strongly disagreed to this view. The percentage of the respondents who supported this view was 67% as opposed to 33% of those who disagreed and those who were undecided on this point. The mean score is 3.53 so we accept that the politicization of local government bureaucracy in Nigeria accounts for its lack of autonomy (Table 12).

**Question: Does corruption at the grass-root level account for the lack of local government autonomy in Nigeria?**

$$\text{Mean } (\bar{X}) = \frac{\sum FX}{\sum X} = \frac{1023}{276} = 3.71$$

Table 12 indicates that 89 respondents strongly agreed and 93 agreed that corruption at the grass-root level account for a lack of local government autonomy. 8 respondents were undecided, 43 disagreed while 43 strongly disagreed with this view. The percentage of the respondents who supported this view was 65.9% as opposed to 34.1% of those who disagreed and those who were undecided on this point. The mean score is 3.51. So we accept that corruption at the grass-root level account for the lack of local government autonomy (Table 13).

**Question: In your own opinion does state interference in local affairs contribute to a lack of local government autonomy?**

$$\text{Mean } (\bar{X}) = \frac{\sum FX}{\sum X} = \frac{1023}{276} = 3.71$$

Table 13 indicates that 104 respondents strongly agreed and 76 agreed that state interference in local affairs contributes to a lack of local government autonomy. 7 respondents were undecided, 37 disagreed while 52 strongly disagreed with this view. The percentage of the respondents who supported this view was 65.1% as opposed to 34.9% of those who disagreed and those who were undecided on this point. The mean score is 3.52. So we accept that state interference in local affairs contributes to a lack of local government autonomy (Table 14).

**13. Question:** From your own opinion do you agree that the constitutional provisions portend intractable inter-governmental problems in which the local government is the “whipping child” contributes to its being less autonomous?

From the analysis on Table 14 above, 102 respondents strongly agreed and 90 agreed that the constitutional provision portends intractable inter-government problems which makes the local

Table 10: Existence of autonomy.

Option	F	X	%	FX
Strongly agree	5	95	34.4	475
Agree	4	95	34.4	380
Undecided	3	7	2.5	21
Disagree	2	29	10.6	58
Strongly disagree	1	50	18.1	50
<b>Total</b>	<b>15</b>	<b>276</b>	<b>100</b>	<b>984</b>

Source: As analyzed from questionnaire items No 9.

Table 11: Politicization of local government bureaucracy.

Option	F	X	%	FX
Strongly agree	5	90	32.6	450
Agree	4	95	34.4	380
Undecided	3	12	4.3	36
Disagree	2	29	10.6	58
Strongly disagree	1	50	18.1	50
<b>Total</b>	<b>15</b>	<b>276</b>	<b>100</b>	<b>974</b>

Source: As analyzed from questionnaire item 10.

Table 12: Corruption versus local government autonomy.

Option	F	X	%	FX
Strongly agree	5	89	32.2	445
Agree	4	93	33.7	372
Undecided	3	8	2.9	24
Disagree	2	43	15.6	86
Strongly disagree	1	43	15.6	43
<b>Total</b>	<b>15</b>	<b>276</b>	<b>100</b>	<b>970</b>

Source: As analyzed from questionnaire item No 11.

Table 13: State interference versus local government autonomy.

Option	F	X	%	FX
Strongly agree	5	104	37.6	520
Agree	4	76	27.5	304
Undecided	3	7	2.5	21
Disagree	2	37	13.5	74
Strongly disagree	1	52	18.9	52
<b>Total</b>	<b>15</b>	<b>276</b>	<b>100</b>	<b>971</b>

Source: As analyzed from questionnaire item 12.

government the “whipping child” and becomes less autonomous 5 respondents were undecided, 59 disagreed and 20 strongly disagreed with this view. The percentage of the respondents who supported this view was 69.6% as opposed to 30.4% of those who disagreed and those who were undecided on this point. The mean score is 3.71. So we agree or accept that the constitutional provisions portend intractable inter-government problems which makes the local government a whipping child and less autonomous

**Findings and discussion constitutional autonomy**

The 1999 constitution of the federal republic of Nigeria (section 7) empowers the states to exert sufficient control over the local

**Table 14:** Constitutional provision versus intergovernmental problems.

Option	F	X	%	FX
Strongly agree	5	102	36.9	510
Agree	4	90	32.7	360
Undecided	3	5	1.9	15
Disagree	2	59	21.3	118
Strongly disagree	1	20	7.2	20
Total	15	276	100	1023

governments under their jurisdiction. This arrangement neither promotes the autonomy of local governments nor protects staff from the whims of state government. State governments have, therefore, by that power exerted tremendous control over staff in the local governments: ranging from recruitment, through promotion, to postings. There is no doubt that one of the cardinal objectives of the 1976 local government reform was to devolve governmental powers to the grassroots by making local government areas the third tier of government. This tier status was strengthened first by the 1979 constitution which made elaborate provisions to this effect by making it explicit that the Nigeria federal structure is “three-tier” viz. federal, state, and local. However, the same constitution almost explicitly gives state governments certain fundamental regulatory supervisory and statutory fiscal powers over the local government, which encumbers the exercise of genuine autonomy by the latter [7-8].

For instance, section 7 sub-section 1 provides “the system of local government by democratically elected local government council under this constitution is guaranteed, and accordingly, the government of every state shall ensure under a law which provides for the establishment, structure, composition, finance, and functions of such councils. This provision has been guaranteed in the 1989 constitution, which was partially in operation during the third republic (1991-1992), and the Draft constitution of 1999 as submitted by the national constitution conference. The 1989 constitution elaborates on the state government’s power over the local governments as follows: “Subject to the provisions of chapter viii of this constitution, the House of Assembly of a state shall enact a law providing for the structure, composition, revenue expenditure and other financial matters, staff meeting and other relevant matters to the local governments in the state (Section of sub-section no, 1989 constitution)”.

Furthermore, although all the communities in Nigeria are constituent parts of one local government area or another, (be it rural or urban), the power of appointment, deposition, and control of Traditional council members does not in any significant way reside in the Local Government Authority, notwithstanding the subordination of the functions of the traditional rulers to local Government Authorities as contained in section (1) of the Fourth Schedule.

This concurrent power over traditional rulers leaves the local government without authentic control over the socio-cultural matters of their constituent communities. Since the traditional officers tend to owe allegiance to the state government which has more effective powers to determine the fate of their tenure.

Section 8 sub-section (1) provides as follows: subject to peculiarities of each state, the House of Assembly of the state may enact a law for the establishment of Traditional council for a local Government Area on a group of local Government Area. Each of such councils

shall be presided over by a Traditional Ruler appointed via manner prescribed by law.

Along with the above, the Draft constitution of 1999 further provides the consent of the state council of chiefs shall be sought in matters of creating new chieftaincy or up-grading of any chief or making of any law which may improve the security of tenure or dignity of the traditional institution (section 8, subsections).

Thus, nowhere is mention made of the input of the local government chairman, even though traditional rulers are deemed to perform their cultural and statutory functions under the supervision of the relevant local Government Authority.

However, in the course of our study, a total of three hundred (300) questionnaires were administered and two-hundred and seventy-six (276) questionnaires were returned. From our fieldwork, it is obvious that the majority of the respondents were of the view that Nigeria's local government had no autonomy. Considering items 13 in which we were to know if the constitutional provision portends intractable intergovernmental problems in which the local government is the “whipping child”. This contributes to its being less autonomous. From the responses, we observed that the mean score 3.71. Since the decision, the rule is to accept where the mean score is 3.50 and above and to reject where the mean score is less than 3.50 and above, and to reject where the mean score is less than 3.50. Therefore, the constitution provision weakens the powers of the local governments.

### Financial autonomy

Another finding from our study is that finance is a major problem confronting local governments especially in developing countries like Nigeria. There is a doubt that the ability of the local governments to perform their constitutionally assigned functions depends on the funds available to them.

The view that section (1) sub-section (8, 9, and 10) of the Decree subordinated the financial fortunes of the local government to the full glare and, sometimes scrutiny of the state government. Even though the statutory allocations due to the local government councils were paid to them directly, the mere fact that both the National and State Assemblies should by the provisions of section 1 (8A and B), make provisions for statutory allocations of public revenue to the local government councils within the state, was limiting factor [9].

Section 1 (a) of the Decree, as well as section 34A, as amended provided for an Auditor-General for the local government of a state, who should be appointed by the Governor of the state, to audit annually the accounts of the local government, and the report thereof should be laid before the House of Assembly of the state. Section 1 (a) stated that “subject to the provisions of part I to IV of this Decree, the House of Assembly of state, shall enact a law providing for the structure, composition, revenue, expenditure and other financial matters, staff meeting and other relevant matters for the local governments in the state. From the stipulations of this constitution oral provision, local government councils cannot claim to be autonomous, especially in the area of finance.

However, going back to item No 12 in respect to state interference in the local government autonomy. The mean score is 3.52. So we accept that state interference in local affairs contributes to a lack of local government autonomy.

## Personnel autonomy

An institution claims to be autonomous where it can hire and fire its personnel. In the case of the local government, it is the state government that sets up the local government service commission and appoints its members.

Sections 29 to 33 provided for the existence and functions of a local government service commission. The main functions of the commission included the following:

- (i) To set up general and uniform guidelines for appointments, promotions, and discipline,
- (ii) To monitor the activities of each local government to ensure that the guidelines are strictly and uniformly adhered to, and
- (iii) To serve as a review body for all petitions from local governments in respect of appointments, promotions, and discipline.

In addition to the personnel functions of the local government service commission, there were also the provisions of sections 34 and 34A, as amended by Decree No 25 of 1990, on the removal of the chairman or vice-chairman of a local government council.

It is obvious that local governments, especially in developing countries such as Nigeria, face several personnel problems, which militate against the effective performance of their functions. One such problem is the politicization of recruitment, selection, and placement. This problem has been noted by for instance, that at the inception of the democratic local government system in the former Eastern region of Nigeria in 1950, early recruits into the local government service were mainly "sons -of- the -soil", party stalwarts, or relations of counselors. As rightly stated, recruitment practices based on patronage, have created problems and redundancy in local governments where stern measures like termination of appointment and suspension of staff are rarely contemplated.

Furthermore, most chairman, caretaker committee members, and sole Administrators recruit and place their relations, friends, and political sympathizers or party members without due regard to rules and regulation or in keeping with manpower requirements.

Another important personnel problem of local governments is with regards to staff training; it is observable that most staff sent for training were hand-picked by members of the local government service commission (LGSC) without any training need assessment. The politicians select their chums and make them benefit from the training the local government does not need. This also applies to workshops and seminars. A seminar for local governments is always turned into a jamboree.

## The constitutional implication of the results and findings

Invariably, the constitutional provisions could portend intractable Inter-governmental problems in which the local government is the "whipping child". Constitutional loopholes or contradictions tend to provide the impetus for an unscrupulous state of officials to nurse the inordinate desire for hedging in the local government left, right, and center. The insincerity of the three constitutions (1979, 1989, and 1999) claiming to provide a full tier local government is borne by our experiences since the local government reforms of

1976. Some of the areas where the local government's functions have been encroached upon by the state governments are:

Refuse disposal and other sanitary projects are areas that local governments have traditionally exercised exclusive authority. But over the years, the state governments in many parts of the federation have been interfering under the specially established environmental sanitation authorities. The local governments on their part can do no more than accuse state officials of wanting to usurp their lucrative sources of revenue, but they can hardly do more than this. Matters are by no means helped by the endemic incidence of military administration in Nigeria which over several years guaranteed the prevalence of the unitarist phenomenon in Nigeria's federalism. However, in 1987, the Federal Government established the Directorate of Food, Roads, and Rural infrastructure (DFFRI). The objective of this body was to bring about rural development in an area that any fair-minded observer would see as the exclusive preserve of the local government. An examination of its functions will reveal that it is encroaching on the functions of the local government. Yet the local government will perform them very efficiently with a strong financial base. Experience during the well-days of DFFRI the state Directorate was that of the incessant clash between DFFRI Officials and local Government officials, as the former tended to duplicate local government function in the area of rural development.

It is interesting to note that the area of jurisdictional rivalry between the state and local governments are mainly the lucrative ones, like rate collection, distribution of fertilizers, and other farm inputs like pesticides. This is, perhaps, one of the most veritable of the inhibitory factors, which confronts the local government system in its bid to fulfill its responsibilities to the local peoples.

## CONCLUSION

In conclusion, literature and experience have made it clear that statutory and constitutional provisions, no matter how full-proof they may be, cannot guarantee true autonomy for the local government as a tier, unless the political will exists on the part of a statesman to rationalize and stabilize this very critical level of government. Both the state and the federal levels have over time tended to see the local government tier as a child that needs at times to be treated with a sense of paternalism and to some extent (and this is more often than not) as an instrument for political and material aggrandizement. Also based on the findings, local governments lack autonomy because of inadequate finance. The increases in local revenues as a result of the allocation from the federal account and the VAT look significant. However, if we consider the demand on the financial resources of the local governments, they still do not have adequate revenue. Their financial stability has been weakened by frequent increases in number through fragmentation.

It would, however, appear that devolution has not worked smoothly and successfully in Nigeria's local government. Freedom has thus been greatly circumvented by state government actors. Political and financial institutional arrangements for such performance have played into the hands of the state governments and local government political leadership and bureaucracy. While the state government is empowered by the constitution to control the purse, and play the superior governmental role in the relationship, leadership at the local level has not been able to translate political

devolution into tangible benefits, thus becoming a liability to the system. For local government autonomy to be appreciated, state encroachment should be reduced or completely erased so that the grass root development which forms the principal objectives for the creation of local government can be achieved.

## RECOMMENDATIONS

In the light of the challenges examined above, the following recommendations are proposed:

- To enhance the efficiency and effectiveness of the local government system, there is an urgent need to review the constitution and delineate areas of inter-governmental frictions especially in electoral matters, creation of local governments, tenure of councils, and finance. The council elections should be conducted as and when due, to avoid a democratic vacuum that is dangerous to the local government system. The political party leaders should insist on the performance of local councils rather than demanding patronage of the council leadership.
- Given the weak revenue base of the local government as a third-tier government, state government unconstitutional responsibilities not backed up financially, the state governors should not encroach on the lucrative responsibilities of local governments or misappropriate local government funds in any form similarly, and local governments should creatively establish avenues for revenue generation to avoid depending heavily on the statutory allocations.
- The state joint local government account should be scrapped. This will reduce the problems of illegal deductions, extra-

budgetary impositions, under-allocation, etc. it will then be easy to lay the blame for non-performance and financial inappropriate squarely at somebody's table.

- Because of the above and to understand and appreciate the issue of local government autonomy, we believe that if the above recommendations are strictly adhered to, then Nkanu west local government which is the study area of this work will benefit and perform its functions more efficiently and so justify its status as the third tier of government in a federal system.

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