

MANAGEMENT PROBLEMS OF STATE - LOCAL GOVERNMENT RELATIONS IN NIGERIA

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Abstract

Despite the local government reform of 1976 which repositioned the local government as the third tier of government in Nigeria. And the continuous increase in the number of local government from 301 in 1976 to 534 in 1989, then to 589 in 1991 and finally to present 774. With the level of autonomy granted to local government in the 1979 and 1999 Constitution, local government is still facing some management problems in state-local government relations. These have constrained the local government from performing its functions as contain in the fourth schedule of the 1999 constitution. Unless these problems are addressed local government is unlikely to meet its expectation in performing its developmental role at the grassroots'. Thus, these problems cover areas of autonomy, finance, personnel, functions, and budgeting as well as corrupt practices in the local government system. It was concluded that corruption has to be minimized in all levels of government for them to function effectively.

Keywords: Management, Problems, Local Government, Relations.

Introduction

The Local Government in Nigeria have been in existence since the colonial period. However, it has gone through metamorphosis over the period, ranging from colonial period to date. Local government that existed before 1976 lack appropriate structure, were plagued by poor and unreliable financial arrangement, and were operationally ineffective and inefficient as a result of the inadequate, largely uneducated and ill-trained manpower. Before, 1976, Local Government in Nigeria functioned at the pleasure of the regional and subsequent state government. Consequently, virtually all the regions and later states created, modified and manipulated the local government systems.

In a bid to arrest the erstwhile archaic management structure of the local governments, their extremely low degree of functional competence, limited powers, absence of inter sect oral coordination with development agencies and the extremely vulnerable constitutional position in which they found themselves. The first military regime in Nigeria harps on far reaching reforms of the previous local government system which culminated in the local government reform of 1976. The reform has been adjudging as remarkably simply because of the structural changes which it introduces (Umar, 2006).

The philosophical basis of the reform lies in the communication that a strong local authority with clearly defined functional responsibilities in a power-sharing relationship with the states is an institutional safeguard against tyranny. Following the 1976 reforms local government became recognized as a tier of government entitle to a share of national revenue consequent on its constitutionally allocated functions (Imuetiyan, 2002). With the foregoing the 1979 and the 1999 constitution in their fourth schedule the relationship between state and local government was brought into limelight This is important because it is not just a constitutional functions but also a constitutional powers to perform their functions. Such power are manifest as local government relate with the central government, in the area of politics, law, administration, personnel, finance, budgeting and functions. (Owen, 2008). Local government as the third tier of government is saddle with the responsibility of promoting the socio-economic and political well-being of the people in the grassroots.

However, the state-local relations over the years have been surrounded with some problems in the management of their affairs. The powers given to state government over its relationship with the local government is wrongly applied to undermine elected and participatory governance and

responsibility at the grass root and this has made operation of the constitution questionable. (Owen 2008). Thus, constraining the local government to perform its role as stipulated in the constitution.

With the light of the above local government throughout Nigeria is facing management problem in its state-local government relation, within the purview of Inter Governmental Relation (IGR). This relationship would have influence the functions of the local government but often generate controversy between the two tier of government. The point of controversy between state and local government ranges from area of finance, personnel, politics, law, administration, budgeting, functions as well as local government autonomy.

Therefore, this paper is concerned with the following issues why the local government is not independent despite the level of autonomy given to local government by the 1999 constitution as the third tier of government? What are the factors constraining local government to be effective in performing its functions with the fund given to it from the federation account? Why management of revenue generation by the local government is porous with the abundant economic resources for local government to utilise?

This paper will also consider the following hypotheses:

- a. The poor performance of local government is as the result of lack of autonomy from the other tiers of government as a subordinate unit.
- b. There is relationship between poor performances of local government with its inability to generate revenue internally.
- c. The ineffectiveness of local government to perform its developmental role can be linked to corruption and mismanagement of funds.

Conceptualisation of Local Government

The term Local Government has been defined as a “political authority set up by a nation or state as a subordinate authority for the purpose of dispersing or decentralizing political power” (Nwankwo, 2006). This idea of local government has been re-enforced by those from the “Guidelines for the 1976 Local Government Reform which defined local government in Nigeria elaborately as a “government at local level exercised through representative councils established by law to exercise specific powers within defined areas”. As the guideline further explain, “these power should give the council substantial control over local affairs and institutions and financial powers to initiate and direct the provision of services and to determine and implement projects so as to complement the activities of the state and Federal Government in their areas and to ensure, through devolution of functions to these council and through the active participation of the people and their traditional institutions, that local initiative and response to local needs and conditions are maximized”. (Nwankwo, 2006).

Local Government can be defined as a sub-unit of government control by a local council which is authorized by the central government to pass ordinances having a local application; levy taxes or exact labour and within limit specified by the central government varies centrally decided policy in applying it locally (Onwe, 2008). From the definitions above, certain characteristics of local government stand out as a subordinate system of government, has both legal and constitutional power to perform certain legislative, administrative and quasi-judicial functions, have power to make policies, prepare budgets, have legal personality, the council could be elected, exercise authority over a given territory, to mention but few.

Inter Governmental Relations (IGR)

Intergovernmental relation is defined as the interactions that take place among the different levels of government within a state. Usually the concept is associated with state having a Federal administration system where the relationships between the Federal, Central and the major subnational units (region or province). In particular, the jurisdictional powers of each level of government are spelt out in the constitution and any rearrangement must be through a constitutional amendment involving both levels of government. For within the Federal System must cover the following: Federal-State, Federal-State-Local, Federal-Local, and Inter-State, State-Local and inter-local relationship. Thus, the pattern of the relationship may be vertical or horizontal. (Owen, 2008).

Owen (2008) put it succinctly that the objectives of intergovernmental relations at all levels are:

- a. To promote peace, harmony and accelerate development at all levels of the tripartite for operation within the armpit of the law with equal opportunities;
- b. To enhance the spirit of cooperative rather than competitive spirit for enhancing effective and efficient utilization of human and material resources among the various levels for promotion of self-reliant economy; and
- c. To minimise inter-jurisdictional conflicts among the various level of government especially solving of the problems of rural urban area in terms of poverty, ignorance and disease.

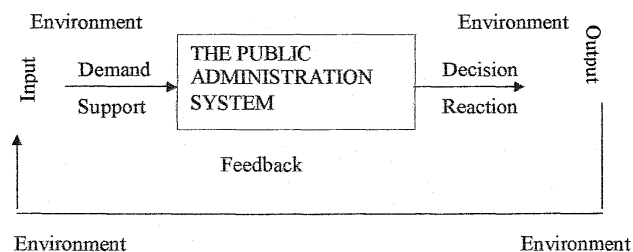
Theoretical Framework

This research will utilise the system model to help the researcher analyse this work theoretically. The system model can be attributed to the work of Bertalanfi, 1934 in the "individual growth model", used widely in the biological models and exist in a number of denotations.

The systems school of thought conceives administration as constituting its own system with a defined boundary. For its to operate and survive the public administration system has to maintain a continues flow of information between its internal components, as well as with varied forces within the environment. The environment encompasses 'events", circumstance and factors which occur outside the boundaries of the organization and which may influence what happen within it. There are several models within the systems theory among which are the Ashby Machine Model (David Easton's input — Output model), Bertalanify's organismic model and the closed system model based on the law of thermodynamics (Dlakwa, 2010). However the researcher will utilise the Ashby's machine (David Easton's input — output) model.

ASHBY'S MACHINE (AVB) EASTON'S INPUT-OUTPUT MODEL

David Easton's conceive the adoption of system theory in a political science in 1953, but was popularized in 1965, using the Ashby's machine (input output) model This model perceive public administration as a "blackbox" whose internal structure are used to convert input into output The input can take the form of demands financial, material and other form of support needed. The output take a "form of social services, mies and regulations that the public administration system produce into the environment (Dlakwa, 2010: 24 — 26). The environment consists of the entire ecology within which the public administration system functions. It consists specifically of the economic, political, socio-cultural and physical environment. The system is continuously interacting with the environmental forces, thereby maintaining dynamic equilibrium through a feedback mechanism. This version of system is depicted in the diagram below:



Source: Dlakwa, 2010. Lecture Notes

Local government as a bureaucratic organization can be analysed using the Asliby's system model as its exist within the political environment with defined functions, interacting with other variables and its activities constrained by other factors. Local state relations and problems facing by Local Government can be viewed within this context, that is, as an institution that is operating in a given environment with other institutions of government.

In order to achieve defined goals and objectives, the interaction encompasses issues like intergovernmental relations with reference to state local relations, the problems of local government, functions as well as local government autonomy in the Nigeria's Federal Structure as established by the constitution. Also, issue like local government finances will not be left out, working as sub-system

component to form the total whole. Thus, systems theory is relevant in explaining the interaction of these variables.

Evolution of Local Government System in Nigeria

Before the advent of British Colonial administration in Nigeria, there was already in existence in various parts of the country, some form of local administration with various formal political institutions. The political institutions were structurally diverse. But behind the diversity, a general basis that "indirect rule" was developed as a British administrative policy. Thus "Indirect Rule" was in reality a euphemism for the Native Authority system which was centred on traditional structures — the residents, the Native Authority, the Native Treasury and the Native Court. consequently, the Richard constitution of 1946 brought the whole structure of the native administration to local government. The pace of transition was quickened by both internal and external political pressures (Dlakwa, 2010).

As from the 1950s, local government became a regional affair with each region, later state, designing its own administrative structure. Most of the local government were "Adhoc" essentially because of one operational fault or the other. Local Government in the 1950s were regions — specific in character with different administrative approaches to problems. As the result of stiff reaction against the erstwhile Native Administration system which was never wholly accepted by them. This led to the Eastern region local government ordinance of 1950, which was legal basis for new system, divided responsibilities amongst the three — tiers of country councils, district councils and local councils (Dlakwa, 2010).

The Native Authority law of 1954 in Northern Region modified the Native authority system in order to make it more democratic by limiting the authority of traditional rulers and making the councils more representative. In the western and Eastern Regions, the attempt to operate the third tier system patterned after the British local system failed. In the North additional reasons for further reforms of the system was enormous powers and influence of traditional rulers who dominated the decision making process and thus' gave room for the need for further democratization of local government system. During the long period of military administration in Nigeria, there was no uniform pattern in the effort to operate or reform the local government system, at least until the 1976 local government reform. In the Northern Region attempt were made by military authorities to reduce the powers of traditional rulers through the beat up of the powerful emirates into more parts.

In the South Eastern states "development administration" as a new system of local government was 'tried and drop. In the Eastern States the practice of appointing government officials known as "residents" as sole administrators of local government areas was resuscitated in the 1970's (Nwankwo, 2006). Local Government have increased in numbers from 301 in 1976 to 534 in 1989, then to 589 in 1991 and finally to present 774 Local Governments. However, the Local government reform of 1976 which was embodied in the 1979. Constitution has transformed Local Government into a single tier and &anted to it some level of autonomy.

Functions of Local Government

Local government as the third tier of government in Nigeria have a lot of functions to undertake in order to be able to contribute to socio economic and political development at the grass roots and to Nigeria as a whole. The functions of local government are stipulated in 1999 Constitution fourth schedule, which states that:

1. The main functions of local government council are as follows; a. the consideration and the making of recommendations to state commission on economic planning or any similar body on;
 - (i) The economic development of the state, particularly in so far as the areas of authority of the council and of the state are affected, and
 - (ii) Proposals made by said commission or body;
- (b) Collection of rate, radio and television licences;
- (c) Establishment and maintenance of countries, burial grounds and homes for destitute or infants;
- (d) Licensing of bicycles, trucks (other than mechanically propelled trucks), canoes, wheel barrows and carts.

- (e) Establishment maintenance and regulation of slaughter houses, slaughter slabs, markets, motor parks and public conveniences.
 - (f) Construction and maintenance of roads, streets lightings, drains and other public highways, packs, gardens, open spaces, or such public facilities as may be prescribed from time to time by the House of Assembly of a state;
 - (g) Naming of roads and streets and numbering of houses;
 - (h) Provision and maintenance of public conveniences, sewage and refuse disposal;
 - (i) Registration of all births, deaths and marriages;
 - (j) Assessment of privately owned houses or tenements for the purpose of levying such rates as may be prescribed by the House of Assembly of a state;
 - (k) Control and regulation of:
 - (i) Out-door advertising and hoarding, (ii) movement and keeping of pets of all description,
 - (iii) Shop, butcher slabs and kiosk
 - (iv) Restaurant, bakeries and other places for sale.
 - (v) Laundries, and
 - (vi) Licensing, regulation and control of sale of liquor.
2. The functions of local government council shall include participation of such council in the government of a state as respect to the following matters:
- (a) The provision and maintenance of primary, adult and vocational education;
 - (b) The development of agriculture and natural resources, other than exploitation of minerals;
 - (c) The provision and maintenance of health services; and
 - (d) Such other functions can be conferred on local government council by the House of Assembly of the State (Federal Republic of Nigeria, 1999).
- The importance of Local Government cannot be undermined taken into cognizance the functions they supposed to perform as reflected in the nation's Constitution. Some local government are not rich while others can generate revenue internally to carry out these functions, among other things these can affect the performance of local government.

Local Government Performance in Relation to its Autonomy

The issue of autonomy is significant in the ability of local government to perform well. However, in Nigeria local government autonomy has been stultified legally by constitutional provision that tend to limit the local council to the powers of state government. As Abati (2008) observes, councils are ineffective for a number of reasons, majorly, excessive federal and state government control, and continuous interference in local government affairs. Section 7 of the 1999 Constitution ties them to the apron-strings of the state government by empowering state to legislate for their creation, structure, composition, finance and functions. It is a power that state government wield to the hilt. In virtually every state, local council exist only in name as states encroach on their functions. Power is exercised almost solely by the state Governor who parade himself as the "Executive Governor", a title that is unknown to the 1999 Constitution. He is also the party leader and officially, the wisest man in the states. Local Government Chairmen are the Governor's "yes-man" and any council chairman who tries to asserts himself could be suspended from office or removed".

This is typical how local government autonomy is handled within the state-local intergovernmental relations. In order to achieve a meaningful level of viability, effectiveness and economic development at the grassroots, there is need for local government system that is considerably autonomous and pro-people in both orientation and deeds. The autonomous canvassed here for our future local government council is that which accord them clearly defined powers over which they alone can decide how to exercise it in the best interest of their electorate.

Abba (2007) states that "by local government autonomy is meant the freedom of local government to recruit and manage its own staff, raise and manage its own finances, laws and provide services within the limit of its resources and functions without interferences". This is because autonomy granted to local government councils would be meaningless if there were no assured sources of revenue for these councils to execute developmental projects.

Also in order to make the local government council to have direct access to 'their fund and bar the state government from diverting such funds, the section 142(5) and (6) of the 1999 Constitution

would be amended to create a smooth channel for the council to have direct access to their allocation from the federation account. The issue of state local government joint account should be either scrap or there should be voluntarily joint planning arrangement between the state Government and Local Councils.

Local Government Management Anti Corruption

Local government councils have over the years acquired notoriety for being citadels of corruption. Local Government officials have been accused of bribery, extortion gratification, inflation of contract sums, over-invoicing of goods, falsification of accounts, unauthorized withdrawals, abuse of the employment selection process, embezzlement, nepotism, misappropriation of funds payment of salaries and wages to non-existent (ghost workers) (Mabogunje, 2001).

Instead of bringing development to the people, the local government councils have turn out to be high temples of wanton corruption and gross mismanagement. Fund generated either through consolidated revenue, aids, grants or internally generated are subject to flagrant abuse. At the end of the tenure of councils, there is usually not much infrastructure on the ground to justify the enormous funds that have been placed at their disposal.

A peculiar dimension for corruption in local government administration in Nigeria is the high incidence of state governors who feed fat on local government allocation by deducting huge sums at source and or making frivolous demands from the councils. Local Government Council Chairman are easily intimidated because most of them owe allegiance to these Governors or some other "God Fathers" for having sponsored their election in campaigns. In this situation no meaningful development is executed 'for the benefit of the rural populace (Abba 2007). With corruption there cannot be meaningful sustainable development nor political stability. But it breeds and feed inefficiency which strangles social system and organisation. In fact, corruption literally mean antithesis of development and progress.

The Need for Healthy Inter-Governmental Relations for Local Government to Function Effectively

There is the need for healthy inter-governmental relations for local government management to be effective. As Allan observed cited in Imam (2001) that intergovernmental relations are the parties negotiating in dead earnest for power, money and problem solving responsibility, virtually every major public policy issue, the elements of power, money and responsibility are on the bargaining table". This notion neatly fits into the theoretical model of Federalism which argues that each Limits of government within such a structure should operate independently within statutorily or constitutionally defined sphere of competence. It further argues that although the different unit within such a structure are relatively independent, yet because they operate within a single national sovereign structure (being themselves infra-sovereign units), they are coordinated with one another. As it have been discussed above ruder local government performance in relation to autonomy, intergovernmental relations that is healthy will aid local government to perform well in undertaking its functions

Recommendations

- a. Since the local government council have been stifle in its area of finance under the "State Joint Local Government Account", under section 162 of the 1999 Constitution. It should be reviewed so that the council will have direct access to their finds.
- b. The federal government should set a mechanism that will be check mating the financial activities of local government and local government should focus on capital expenditure rather than recurrent expenditure.
- c. Government should at all level Federal, State and Local should maintain a cordial relationship in all areas of management of human and material resources as it will foster socio and political development.
- d. Government should embark on sensitization exercise that will change the value orientation of the people at the grass root and the country at large.
- e. Local government council should focus on how to generate revenue internally by setting necessary mechanism instead of too much dependence on fund externally.

Conclusion

The management problems of state local government relation are glaring in Nigeria. This paper raised some question and hypothesis in the beginning of the write up over the problems that have been limiting local government performance, which also a hypothesis is formulated with regard to local government autonomy, performance as well as corruption. this paper appreciate the 1976 local government reform that aid in repositioning local government as a third tier of government. Also, intergovernmental relations and local government autonomy is expedient to effective function of local government. However, corruption has to be minimised in local council for it to be able to perform effectively.

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