

Selected Difficulties towards Effective Service Provision in the Nigerian Local Government

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ABSTRACT This study examined the difficulties in realizing an operational and effective service delivery strategy in local governments in Nigeria. The paper utilizes desktop method, triangulation, and qualitative reviews to gather its data. Among other things, the study found that while the essence for the establishment of local governments was to create an atmosphere for growth and development from the grassroots, however, the gains for the institutionalization of local government have remained intangible. This is probably because local governments have become an avenue for political settlement by governors and god-fathers of the ruling party. Additionally, the framework for the financial operations of the local governments is hinged on the mercy of the state governors. The study suggests that the restructuring of the roles and functions of the local government amidst global change is paramount, due to the increasing yearning for rural and grassroots emancipation.

INTRODUCTION

It is common knowledge that Nigeria operates a Federal System of Government with 36 states plus a Federal Capital, and 774 local governments. The Local Government (LG) is a constitutional creation of the federal government. The LGs structure to cover the void in local representation, participation as well as been easily accessible. It serves as the machinery for the discussion of local challenges, amenities, needs and issues pertaining to a particular enclave. However, it is constituted to provide of services within the “competence and capability of the local area; to provide machinery for the execution at the local level of state or federal government policy; to provide a consensus mechanism for the resolution of conflicts of interest at the local level; and to provide a training ground for political participation and articulation” (Okoli 2000). By implication, the Nigerian state understands the need for the decentralization of powers to ensure that the provision of services at municipality is not compromised.

The current platform for local government practice in Nigeria came into existence in 1976, through the LG reforms of 1976 (Guidelines for the Reform of Local Government in Nigeria 1976:

1). It created a uniform structure of an elected council with specific functions and financial base from the federations account. The new platform represents a departure from the norm, which is often in favour of regionalism of colonial idealism. The colonial rule was first to create a semblance of local representation in the form of native administration in the Northern, Eastern and Western Provinces.

The 1976 reforms changed scenario and structure of public administration in Nigeria. In that, practice of LGs across the country was premised on the structure of local administration which worked at the particular time for the colonial masters. For the first time a uniformed system of LG was proposed as to create the notion of oneness and federalism. The establishment is also as a result of shortages personnel and capacity in most Northern states which also created a principle at the time of transfer. That local government staff as civil servant might not be domicile in just a local area. This idea was intended to bridge the existing gaps in human resources in the Northern part of the country experiencing this shortage. With specific functions, roles and responsibilities assigned to each municipality at the time created a kind of local competition. This did not only widen the functions

and scope of LG in the country. It also devolved or created a means through which powers and functions are decentralized premised on the understanding of federalism. Hence, Oyediran (2001: 197) argues that the creation of LG in Nigeria is an attempt towards, “decentralization that ensures that appropriate divisions of functions exist between the State and Local Governments and that local authorities thereby play a significant role in the development process.”

In effect, while the supervisory role of the state was retained, there was some attempt where delineation of space meant to enlarge the functional autonomy of local authority of the LG as a separate entity. According to the Constitution of Nigeria, capable of suing and been sued. The philosophy of local authority reinforced the idea of local autonomy that postulated a vision of a third tier of Government and as a recipient of direct funding from the Federation Account. A major constitutional pitfall in the quest for local autonomy of LG is that its funds cannot be claimed directly from the Federation Account. Hence, their funds were channeled through the State-Local Government Joint Account (Ozor 2003). This action culminated into the deficient and ineffective LG as seen up till date. Where LGs have become stooge of the Governor and State-god-fatherism. Hence, been loyal to a certain godfather guarantees smooth passage in occupying a central seat in the municipalities.

Another core aspect of the reforms was the democratization of the local government system. Hence, the creation of a governing body in every LG for representative purposes. This reform created the local council: made up of a chairman and councilors elected for a period of three years. While the all other elective positions in the country occupy their seats for four years, the LG was given a three-years and maximum of two terms. On the other hand, every elective position as the President, State Governor, National Assembly, and State Assemblies enjoyed four years, of two terms as well. Except for the National and States Assemblies whose tenure is not time-bound. The implication for LG is that the State government continues to detect for the LG since, their tenure (state we mean) is longer to those of the LG. Also, that the state has the powers to dissolve the LG and to set up a caretaker committee pending a release of schedule for another election. These factors have impeded

on the functionality of the LG in diverse way reducing it in recent time to merely salary payer than to developmental tier of government in the country.

It must be understood that the reform was an attempt at democratizing LGs as a tier of government, increase its autonomy in terms of functions, encourage political culture, political participation and viable financial base. However, these assumptions were short lived owing to political and ethnic differences coupled with the interplay of the principle of god-fatherism in Nigerian politics.

Objective

This study examines the difficulties in realizing an operational and effective service delivery in local governments in Nigeria.

Theoretical Framework

Structural-functionalism will be used in providing an understanding for this study. The history of the theory can be traced to sociology. On the ordinary, the theory is associated with the relationship between social institutions (government, religion, law, education among others).

Though the French Sociologist Émile Durkheim in the late 19th century is largely the foundational proponent of the concept with his works on suicide, why society was formed and what they hold together, religion, deviance, and crime in his famous book the “Division of Labor” in Society (Durkheim 1997) which is a follow up from sociological perspective of the renowned economics Adam Smith in his work on Division of Labour in his book “The Wealth of Nations” (Durkheim 1997).

Hence, social systems are means that tends to cover the vacuum of societal decadence (Gingrich 1999). Hence, Marcionis (2010) argues that structural functionalism as a theory sees “society as a complex system whose parts work together to promote solidarity and stability.” The central theme of this theory is its macrobial orientation. Meaning, ills and deficiency or dysfunctionality in any system is as a result of its social structures and/or systems.

The revered anthropologists Bronislaw Malinowski and A.R. Radcliffe-Brown in the early 20th century developed structural-functionalism. Other prominent scholars to attest to theory in-

clude, Auguste Comte, Herbert Spencer, Talcott Parsons, Davis and Moore, Robert Merton, Almond and Powell. A resound argument and commonality in their analogy to structural functionalism is that a society has a structure and functions and these structures and systems function together to ensure a structural functional system in the society called structural functionalism. Hence, the functions are integral in the development and peaceful coexistence in the society. These functions are customary in line with the norms, customs, tradition and institutional change and advancement of a system to repel discrepancy of a system. According to Spencer (1896) in Urry (2000), the society is seen as a part of an "organ" that works toward the proper functioning of the entire human body without which the person's activity will be limited.

To Gingrich (1999), Talcott Parsons developed the idea of roles into collectivities of roles that complement each other in fulfilling functions for society. In 1961, Parsons noted, "roles are bound up in institutions and social structures (economic, educational, legal and even gender-based). These roles are functional, in the sense that they assist society in operating and fulfilling its functional need so that society runs smoothly" (Parsons 1961: 41). Hence, his argument that "a society where there is no conflict, where everyone knows that is expected of him, and where these expectations are consistently met, is in a perfect state of equilibrium" (Ritzer 1983: 195). Key in the assumptions of these authors in structural functionalism is idea of an equilibriumal assertion that socialization and social control is systemic. In that, socialization ensures that accepted values and norms are transferrable from society to the individual while social control on the hand is divided to informal and formal controls. While informal deals with assimilation of values and norms of social behavior of an individual in the society, formal deals with sanctions, chaos, anomie and regulations used in curbing an individual from de-raying from stipulated societal standards (Poore 2007; Lindzey 1954). This idea is applicable to government at local level, which in Nigeria has derailed without either the dysfunctional state government or the in-coherent federal government can call at the moment to order.

Structural-functionalism was adapted to political science in 1970s by Gabriel Almond and Bingham Powell. It was used to compare politi-

cal systems in America. Almond et al. (2004) argue that in order to understand a political system, it is necessary to understand not only its institutions or (structures) but also their respective functions. In its simplest form, structural-functionalism or in many contexts simply functionalism "sets out to interpret society as a structure with interrelated parts with each structure performing role function." The failure of one structure leads to dysfunctionality or disorderliness in the entire system. Structural-functionalists like Gabriel Almond and Bingham Powell posited that for proper understanding of the structures (institutions) in the society, there is need to place them in a meaningful and dynamic historical context. They also insisted that these institutions, to be properly understood, must be placed in a meaningful and dynamic historical context. In order to buttress their points, Almond et al. (2004) stresses that structural-functional approach believes that while a particular function such as law-making or rule-making, it does not have a monopoly of this function. Presidents and governor may share in the legislative function (veto power), as do the higher courts (judicial review of statutes for their constitutionality).

This implies that a change in one element of society result in changes in other aspects of society. Adapting structural-functionalism means that no public institution has a monopoly of the services it provides. For example, the effectiveness and timeliness of courts to dispense justice depends also on the effectiveness and timeliness of the police in carrying out and concluding investigations. On the other hand, a change in the operations and services of a public institution result in changes in the operations and services of other public institutions.

Tenets of the Theory

The basic tenets of the structural-functionalism are:

1. Structures

Functionalist analysis looks at society as being made up of different structure that caters for the needs of the society. Such structures include all public institutions and organizations that minister to the needs of the society, such as educational, health, regulatory, legal, economic institutions etc. The structures are functional in the sense that they help society to operate.

2. *Functions*

The different structure (institutions) contributes positively to the operation of the whole (society). This is the functional part of the structural functionalism. Each structure (institution) has a particular function to perform that helps in the smooth running and survival of society.

3. *Interdependence*

Since the different parts have to perform their functions for the smooth running of society, the interdependence of these parts is an important feature of functional analysis.

Conceptual Analysis of Local Government

The philosophy of local government, local administration, and local governance are concepts that are both time and place specific. In that, what is referred to as LG in an area at a certain time may differ to what the next refers to LG. Therefore, it is argued like most social science concepts that the idea of social science is time and place specific. Thereby, having no general conception of the concept.

However, one thing is clear and agreeable by most scholars in the field of local government and governance that the concept of local government or governance revolves round a “philosophical commitment to democratic participation in the governing process at the grass-roots level” (Ani et al. 2013; Idike 2014; Chukwuemeka et al. 2014; Isa 2016: 109). The implication is power, personnel guarantee legal and administrative decentralization of authority of the local people guaranteed in the LG by virtue of having a will of its own and performing specific function in relations to the needs and expectation of the people at the local level. Hence, the creation of the LG Council as an institution was to ensure that their operations address the needs and aspiration of its citizenry and by extension, a control to the community’s wealth (Wanjohi 2003).

Politically, local government council is accountable to the electorates who voted it through an open ballot. According to Lawal (2000), local government council is defined as that tier of government closet to the people, vested with certain powers to exercise control over the affairs of people in its domain. Ibietan and

Ndukwe (2014), and Lawal (2000) in separate studies argue that the council is “expected to play the role of promoting the democratic ideals of a society and co-coordinating development program at the local level. It is also expected to serve as the basis of socio-economic development in the locality.”

Norris (1997) defines the council in the context of Peninsular Malaysia as the government of urban areas, rural areas or a combination of urban and rural areas subordinate to the state governments but having an independent legal existence from state government. In that, it institutes the third tier of the government under a federal system. Within Malaysia context, Norris argues that the council is of state creation with consultation with the Minister of Local Government.

In Nigeria the notion of LG is different from that of Malaysia, though similar indirectly. Though the council is not states created rather the council is controlled by the state. The former gives an impression of a local administration to a local government. Hence, its activities, programmes and project require clearance from the corresponding state in which the municipality is domicile.

The context of LG in Nigeria is both complicated, vague and problematic. The ensuring definitions of local government in Nigeria will prove this to be a truism in reality. According to Appadorai (1975), local government is defined as “government by the popularly elected bodies charged with administration and executive duties in matters concerning the inhabitants of a particular district or place.” According to the foundational document establishing the local government in Nigeria sees local government as:

“Government at the local level - established by law to exercise specific powers within defined area (and) 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 that local initiative and response to local needs and conditions are maximized” (Guidelines for the Reform of Local Government in Nigeria; Adeyemo 2005).

Emezi (1984) defines local government as a system of local government under “local communities that are organized to maintain law and order provide some limited range of social amenities and encourage cooperation and participation of inhabitants towards the improvement of their conditions of living. It provides the com-

munity with formal organizational framework, which enables them to conduct their local affairs effectively for the general good.”

Orewa and Adewumi (1983: 124) capture these sentiments when they described local government as “an essential instrument of national or state government for the performance of certain basic services, which can best decided upon and administered locally in the intimate knowledge of the needs, conditions and peculiarities of area concerned. It unites the people in a defined area in a common organization whose functions are essentially complimentary to those of the central government in the interest of the local residents of satisfaction of common community needs.”

According to Ofuebe (2005: 223), apparently, the definition is generally informed by that provided by the United Nations Office for Public Administration which states that: “Local Government is a political division of a nation or (in a federal system) states, which is constituted by law and has substantial control of local affairs including the powers to impose taxes or to exact labour for prescribed purposes.”

Lockard (1963) and Wraith (1972) loosely define local government as any “public organization authorized to decide and administer a limited range of public policies within a relatively small territory which is a subdivision of a regional or national government.” Local government is at the base of a pyramid of governmental institutions, with the national government at the top and intermediate governments (states, regions, provinces) occupying the middle range.

According to Adeyemi (2012: 187), “each unit of local government in any system is assumed to possess the under-listed characteristics: a given territory and population, an institutional structure for legislative, executive and administrative purposes, a separate legal identity, range of power and functions authorized by delegation from the appropriate central or inter-mediate legislature and lastly, within the ambit of such delegation, autonomy, subject always, at least in Anglo-American tradition, to the limitations of common law, such as the test of reasonableness.”

Implicit in the definitions local government as seen above include:

The central or resonating idea in these definitions is that the concept and principle of local government in Nigeria is an abstraction from the federal or state government for administrative

convenience with limited powers and authority. Other summations by these authors includes:

“A public organization with a limited power to decide and enforce public policy at a local area.” (Lockard 1963; Wraith 1972).

The LG is an important instrument for the provision of services in a given area. It plays a complimentary role in cushioning the deficiencies of the central government. It creates unity, law and order in a given locality or residents (Orewa and Adewumi 1983: 124).

It is established in a local area to maintain law and order, and to encourage local cooperation and participation in a given area. It also facilitates the improvement of lives of the occupiers in such areas by providing with essential services, which should enhance the realization and fulfillment of their dreams and aspirations (Emezi 1984).

The local government in Nigeria has been unable to live up to the expectations shown above. Due to a number of issues, namely, deficient legislations slurred human capacity at local government, the practice of spoiling system, sacrificed empowerment programmes for personal gains, godfatherism, and corruption. More so, the inability to reconcile actions, social change, social progress, organizational design, and organizational development to people development in communities constitutes yet another conundrum for local and community development (Bilandzic and Venable 2011; Weise et al. 2017).

MATERIAL AND METHODS

There is no one best way/method in social research (Ndaguba 2018: 3). The ability to gather reasonable data to support the research topic serve as the rock-bottom to which every social science research depends. This study adopts an exploratory design method in its analysis to identify the salient factors that challenges the effectiveness of the local governments in Nigeria to provide services sustainably. The desktop research approach consistent with the qualitative paradigm is used in gathering data for this paper. The assumptions of the desktop research are: to know what to look for and where to look; to understand the quality of the source material; and to ensure getting the right information. An average of 150 articles, books, internet source, and government gazette and other documents

were consulted (see Table 1 for the breakdown of the method used).

OBSERVATIONS AND DISCUSSION

For local governments to meet the anticipated transformation levels for which it was established, multiple challenges exist. These include difficulty in reconciling local government strategies and the levels of social change required, the ability to structure an organization for sustainable and community development (Bilandzic and Venable 2011); the diversification of political and commercial interests of relevant local government audiences (Ojala et al. 2010); the complex interactions between godfathers, governors and points of services (Monteiro et al. 2012; Weise et al. 2017); and constitutional conundrums (Babalola 2017; Saulawa et al. 2017). For the purpose of this research the constitutional conundrums to effective service delivery of the Nigerian local governments will be analyzed.

Constitutional Challenges to Effective Service Delivery in the Local Government System in Nigeria

In Nigeria, local government became recognized as distinct tier of the federal structure in 1976 through the 1976 Guidelines for Local Government Reforms. Presently, Nigeria is made up of 774 local governments with constitutionally assigned functions and responsibilities. The 1976 Reform (1976: 1) points out the following as the primary aims of local government in Nigeria: to make appropriate services and development activities responsive to local wishes and initiative by developing or delegating such services to local representative bodies; to facilitate and bring the exercise of democratic self-governance close to the local levels of our society and to encourage initiative and leadership potentials; to mobilize human and material resources

through the involvement of members of the public in their local development; and to provide a two way channel of communication between local government, state and Federal or national government.

Specifically, the functions assigned to the local government, as indicated in Fourth Schedule, section 7, paragraph 2 of the Constitution of the Federal Republic of Nigeria (1999) include: the provision and maintenance of primary, adult and vocational education; the development of agriculture and natural resources other than the exploitation of minerals; the provision and maintenance of health services; such other functions as may be conferred on a local government council by the House of the Assembly of the state.

Local Governments as the third tier of government in Nigeria, is expected to promote the democratic ideals of the society and to co-ordinate other socio-economic development programs at the local level in line with the overall national development plan (Onah and Amujiri 2011). Indeed, the reconstitution of Nigeria into 301, 449, 589 and 774 local government areas in 1984, 1989, 1991 and 1996 respectively was ostensibly meant to bring government closer to the people, speed up grassroots development and to enhance over all national development (Adeyemo 2005; Ezeani 2012).

Over the years, however, most studies and research findings on local government in Nigeria point to the fact that local governments have not been significantly performing the developmental roles or functions that underscore their institutionalization in Nigeria. The basic concerns, in respect of the ability of local governments to perform development functions, particularly in federal systems like Nigeria revolves around the nature of the relationship between the federal, state and local government as to enable them operate as true units of self (autonomous) government (John and Rupak 2008). Usually, the problem in this respect revolves

Table 1: Summary of method

The method adopted	The study explores the research question by using a qualitative paradigm (Desktop).
The research design	The study is hinged on an interpretivist research study.
The logic of the study	The rationale is to examine and explore the constitutional challenges towards the effectiveness of municipal services in Nigeria.
The approach	The study methodology used here is the Case Study approach which tends to give a holistic or critical view about a phenomenon.
Data collection method	Data would be collected using a Secondary Methods of Data collection. At the point of writing over 150 materials have been scanned, skimmed and read.
Data analysis	Data would be analyzed using triangulation, content analysis, and thematic analysis.

around the extent to which the local governments are regarded truly as the third order of the political structure or as mere parts of the state governments and the nature of distribution of powers and resources among the three tiers of government.

In Nigeria, the relevant constitutional provisions in respect of these relationships appear inadequate and unfavorable to the local government. For instance, the 1999 constitution of Nigeria did not adequately provide for the financial autonomy of the local governments as it subordinates them to the states through the provision, in Section 162, paragraph 6, for the establishment and operation of State Local Government Joint Account. This provision does not allow for the direct funding of the local government from the federation account and various research findings have shown that state governments manipulate this constitutional provision to keep the local governments as their appendages and, in large measures, siphon the funds meant for them (Onah 2004; Ezeani 2012). This interference in the local government financial autonomy reasonably accounts for their inability to initiate and execute development programs or projects. This is understandable in view of the fact that the local governments in Nigeria rely on the statutory allocation from the federation account for ninety to ninety-five percent of their financial expenditures every year (Chukwuemeka et al. 2014: 319). Again, the constitution did not provide adequately for the political autonomy of the local governments in Nigeria. The resultant effects of these lapses or inadequacies are that the state governments have the discretion to determine the nature, content and direction of local government elections and political activities. In the exercise of this discretion, the state government decide when elections would be held, who wins in elections, when to dissolve elected council, and the alternative framework to administer the affairs of the local governments. Sometimes following the extreme control of the political process in the local government system in Nigeria, local government development policies are often dictated by state governments. And where the local governments, as argued by Nico (2008), cannot determine the contours of their development goals and their performance targets, the very purpose of a democratic local government is undermined rendering them mere appendages of the state. Nico

(2008: 23) further specifically notes in this respect thus; where there is little scope for local initiative and where local decisions are overridden by higher orders of government, the interest in local politics and participation in local elections inevitably declines.

So we can posit here that in the context of the pervasive control of the political/administrative activities and electoral processes in the local government, the objective of the local governments serving as an avenue for deepening democracy and decentralizing governmental power through greater citizen participation and leadership training for higher political positions cannot be realized.

The chaos and lack as envisaged at grassroots in Nigeria is as a result of deficient constitutional enactments for municipal governance. In that, the idea for the creation of local government was to assist government in dispensing the dividend of public goods to its people and not necessary to create public goods for its people premised on the needs of its people. Local government in Nigeria is merely an appendage of the state governments and the godfathers of the state, thus, diverting public goods to individual governor or godfather's pocket. A council member or chairman of a local government that does not abide by the rules of the state governor or party is booted out of office without due process. Though government was brought closer to the people through the statutory creation of local government (Adeyemo 2005; Ezeani 2012), however, growth and development was exempted; Section 162, paragraph 6 established the operability of a State Local Government Joint Account limits local autonomy, liberation and independence. The paper have showed that local government system in Nigeria has generally failed due to its dependence on the state and godfathers who determine the functionality or non-functionality of the activities of the local government. Since the local governments in Nigeria are not autonomous, foisted (forced) on the people by the political elites (godfathers), unaccountable, and inefficient in its performance of their democratic, administrative and political duties and the general feeling is that an effective local government system, that is, one that involves the local population in decision-making and provides for public accountability and service delivery, is generally absent in Nigeria.

CONCLUSION

The need for effective service delivery in the local governments in Nigeria cannot be overemphasized. The lack of independence and political polarization has resulted in significant declines in the functionality of the local governments in Nigeria. Two critical challenge limits effectiveness of the local government systems in Nigeria, constitutional and man-made challenges. These challenges results in significant coloration (political) of the local government council in Nigeria. Instead of the council members to strategize means through which it can provide services to its people, their major preoccupation is the settlement of both political godfathers and the dictate of the party. This can be a reason why most local governments in Nigeria are seen as mere political stooge of the sitting governor of the state. It is probably a reason why local governments in Nigeria have been unable to realize its function in uplifting the people at their local area out of poverty by providing services. Therefore, one might argue that since the purpose for the creation of local government have not been realized since 1976 in Nigeria, why should the local government be made to continue to function. It is critical to note that while the local government in Nigeria is endowed with the know-how with regards the needs of its local people. Without power and authority to execute its functions without interference from the state governments and godfathers of the state, the local government as currently structured will continue to remain a toothless bulldog. Therefore, for a positive effect to be felt at local government, local government autonomy is paramount, in terms of finance, recruitment and placement in local governments in Nigeria. Since, finance, human resources managers and personnel are seen as the most crucial element for growth and development in any organization. Finally, while finance is the nucleus of organizations functionality in terms of programmes and projects completion, human resource determines the capability and capacity for the local governments in Nigeria to effectively function and carry out its primary assignment of service delivery in Nigeria. To this end, the constitutional provisions for local government in Nigeria should be re-examined and given full autonomy, including a direct remission of

its income from the federal government of Nigeria, rather than through the state government, thereby, guaranteeing fiscal dependence of local governments in Nigeria.

RECOMMENDATIONS

The notion of local sustainability in local governments in Nigeria is far-fetched owing to the lack to local autonomy in local government systems in Nigeria, therefore, there is an urgent need to amend Section 162, paragraph 6 of the constitution to transfer the allocation of local governments directly to local government.

For local dwellers to benefit the dividend for which the local government was established in the first instance, the constitution must clearly recognize local governments as an entity on its own, thereby, give it the statutory power and authority to conduct its election and other local activities;

Governments all over the country must practice some form of open system that seeks to demonstrate transparency, accountability and trust.

The local governments in Nigeria must re-brand itself to see itself as the epicenter for growth and development in the country.

The study suggest also that certain contradictory legislative, which gave impetus to the state government to treat Local Government as subordinates, should be expunged from the constitution.

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