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LOCAL GOVERNMENT ADMINISTRATION IN SOUTH AFRICA: THE MYTH, THE PARADOX, THE CHALLENGES AND THE WAY FORWARD

Abstract: Local government as presently structured in Nigeria has its challenges that constitute a great hindrance to the realization of its very essence as governance at the grass root. This laudable institution the world over is really finding it difficult to thrive in this part of the globe. It becomes then pertinent to ask if the problem is in the structure, in the dynamics of operation or in the operators. Is there possible way out? These questions this paper sets out to answer with a position that the apparent failure is due to the scientific approach to politics in Nigeria without consideration to the *sitz im leben* involving the ontological and epistemological proclivities of the African which would have resulted in “a-home-grown” system that would have been beneficial and relevant to the people, at the same time, yield the desired result of the involvement and mobilization of the grassroots in governance.

Keywords: Local Government, Myth, Paradox, Problems, Way Out

1. INTRODUCTION

Just a year ago politicians in their usual and typical elements rolled out drums to celebrate ten years of uninterrupted civil rule in Nigeria. Presently, Nigerians in a grande style celebrated the fiftieth years of Nigeria’s independence. Waw! What a feat, one can imagine. But while we celebrate and while we prepare to celebrate even in a larger dimension, let us stop awhile to reflect on certain salient issues as it reflects Nigeria’s nascent democracy. It is on this note that I choose to critically examine one aspect of our democracy that is so dear and downright relevant to the sustenance of democracy yet so neglected, that is, the Local Government Administration.

The question that would naturally elicit or resonate as a corollary is, what has Local Government Administration to do with the sustenance of democracy in Nigeria. The obvious answer would be a laudable and resounding affirmation. Certainly, it has. But before I go on, may I briefly though pathetically comment on some of the difficulties I encountered while preparing this paper.

As a philosopher, I am familiar with universalization of issues. I am used to conceptualization of the ideal, what is, the ought, what should be the case; however, staring me on the face is translating or realizing this ideal. This explains the seeming conflict between the political philosopher and the political scientist. I then had the burden of translating my

ideals into praxis especially within the Nigerian context that is undoubtedly a land of unpredictable possibilities. My fear was however heightened after reading lots of wonderful works on the theory and practice of Local Government Administration with all the efforts at reforms and contextualization, yet with minimal successes. The next questions that immediately cropped up in my mind were, why the failure? Is it in the theory, in the structure or the operators? Is Local Government Administration that is apparently embraced and lauded the world over out of place here? Why is an appreciable and workable phenomenon like Local Government Administration elsewhere finding it difficult to thrive in this part of the globe? Somehow, I know some people will want to ask why a philosopher is dabbling into this preserve area of the political scientist.

Udo Etuk's submission in *Riches of Philosophy* [1] bails me out thus: Philosophy in Africa cannot afford to be impoverished in abstract, sterile systems building and unproductive "debates" when there is so much in our economics, our development efforts, our technology acquisition, our educational planning and management, our cultural contacts and exchange, our political struggles and international relations, and so much more beckoning on the professionals philosophers to go into dialogue and make their insight known.

The tumultuous political climate in Nigeria calls for concern and concerted effort by all to remedy the situation. This paper then is my modest contribution in this regard. More so anything of human concern cannot be divorced from or precluded of philosopher's attention and concern.

2. LOCAL GOVERNMENT ADMINISTRATION: A NECESSITY?

Aurthur cresh Jones (British Secretary of state to the Colonies) remarks in 1947 eloquently underscore the imperative of Local Government Administration in a democratic set up like Nigeria thus:

That without a sound Local Government, a democratic political system at the centre is not possible and that if social services are to be built up and expanded, there must be efficient organ of Local Government directly representative of the people to control and operate them.

In fact, the classical definition of Local Government as enshrined in *The Western State of Nigeria Local Government Law, 1958* [2] encapsulates the very strategic nature of nature of Local Government in the development dynamics of the Nigerian nation. According to it, Local government is:

An essential instrument of national and State government for the performance of certain basic services which can best be decided upon and administered locally on the intimate knowledge of the needs, conditions and peculiarities of the area concerned. It unites people in a defined area in a common organization, whose function are essentially complementary to those of the central government and in the interest of the local residents for the satisfaction of common community needs. It is a means by which a local community satisfies jointly its common problems and needs, which would have been difficult of solution by individuals. Consequently, its effectiveness is judged through the development it generates, the social amenities it provides and to the extent that it has catered satisfactorily for the happiness and general well being of the community it has been established to serve.

This definition actually highlights certain salient ingredients that constitute

the local administration, which actually reflects the ideals of democratic governance, thus:

Local: Close to the common people and their problems.

Efficient: Capable of managing the local government services in a way, which would help raise the standard of living. Render services to the people, provide services that are local by which its success it judged.

Political participation: Provide a forum not only for the growing class of educated men and women but at the same time command the respect and support of the people in a broad perspective that can be said to be democratic since democracy actually involves accommodation of another's point of view, mutual appreciation of another's interest, application of the principle of fair play, tolerance and respect for the rights of others.

Indeed, the essence of Local Government administration according to *Public Service Review Commission* (1974) report [3] is anchored on attempt to reconcile participation of people in their own administration, with the need for efficient delivery of essential services. Therefore, its essence is synonymous with democratic ideals and becomes indispensable for the sustenance of democracy in a presidential system such as ours.

Frankly speaking, the Nigerian nation has not been foreign to this grass-root governance since this was the status quo in the traditional society even before the advent of colonization. What may appear novel may be expanse representation and the legalistic nature of the present day Local government that covers more than a village as in the traditional set up. *The 1998 Constitution of Nigeria* Section 7 describes it thus [4]:

The system of local government by democratically elected government's council is under this constitution

guaranteed. And accordingly the government of every state shall ensure their existence under the law, which provides for establishing functions of such councils.

Given its exigency as an organ of government and its relevance to the well-being, political awareness and political participation of the grass-root, what then would account for its ineffectiveness and irrelevance? Authors have actually alluded to lots of factors. Late Major General Shehu Musa Yar'Adua remarks actually hit the nail on the head thus:

The defects of previous Local Government system are too well known to deserve no further elaboration here. The state governments have continued to encroach upon what would normally have been exclusive preserves of Local Government, lack of funds and appropriate institutions have continued to make Local Government arrangements inefficient and ineffectual. More so, the staffing arrangement system has been inadequate and excessive politicking has made even modest progress and development impossible. Consequently, there has been a divorce between the people and government institutions of their most basic levels.

From the itemized issues by also mentions the blatant misconceptions of the character and status of the Local Government in some developing countries like Nigeria. According to Ekpe, the designation of this tier of government as third-tier has been misconstrued to mean a low or subordinate unit, level of inferior services for naughty boys who should be guided and controlled. This misconception extends even to other government employees of Local Government irrespective of their rank, such that they are treated as subordinate colleagues. This conception he contends has indeed impeded progress and development in the local level while also dampening the image of this tier of government.

Another very pathetic constraint is the fact that this tier of government is not independent; its existence and legislative power is derivative. Though this is the practice the world over as noted by John Maud that the right to self-government is premised on common parlance which prescribes the principles and not law, since its existence with its entire organ in the twentieth century is an act of parliament [5].

In Nigeria, for instance, the entire existence of this tier of government is predicated on the legislative of the State House of Assembly whose tele-guiding role extends into the area of financial relations. This regulating role portrays Local Government as “small children”, who sometimes lived in a terrible land of don’ts. Even in United States and England, Local Council can do nothing that is not authorized by higher authority. This scenario constitutes the myth and the paradox of Local Government, which actually contradicts the very definition of Local Government as “a government in its own right” as observed by Chief Olusegun Obasanjo thus:

I have gone round the country and realized that there is certain areas where there is need to listen to grass root voices expressing their concern and problems. Let me make it clear that, in this interaction you are to see yourselves a Chief Executives of Local Government Councils, which is not just a third tier of governance of the federation but a government in a full sense of the word.

The term, Local government presupposes existence of a local community with a will of its own, which must be discovered and respected in formation and implantation of policies. It provides avenue for the local participation in formulation and execution of policies and decisions that affect their everyday lives. It arouses the local communities’ political awareness; helps mitigate inadequacies in the National and State in terms of

participation. Above all, the responsibilities of providing schools, health care, building and maintenance of roads, building of local markets and parks rest on the Local Governments. The Local Government also overcome what is called “tyranny of distance” created by National and State since, it gingers grassroots participation in policies and policy formulation and implementation.

Based on the principles of “subsidiarity” and “complementarity”, the usurpation of basic functions by the State and National level of government threatens even the very essence and existence of the Local Government. Though exigency of the moment could necessitate this, but it portrays an abrasion since the basic reason for Local Government malfunctioning is not addressed by this action. Eminue corroborates this position thus [6]:

Just as it is gravely wrong to take from individuals what they can accomplish by their own initiative and industry and give it to the community, so also it is an injustice and at the same time a great evil and disturbance of right of order to assign to a greater or higher association what lesser or lower organization can do. For every social activity ought, of its very nature to furnish help to the members of the body and never destroy or absorb them.

In fact as noted by Ademolekun *et al.* [7], despite the complexities and scale of government operations, there is administrative need in every locality that are of direct concern to the local community that are best dealt with locally. So to usurp the functions of Local Government to solve immediate problems is indeed an abrasion and does not solve the problem in the long run.

3. CHALLENGES IN LOCAL GOVERNMENT ADMINISTRATION

Describing the nature, function and

imperative of Local Government administration, Dele Oluwu [8] writes:

The example of most Nations, whether unitary or federal, indicates that such intermediate level institutions between the national government and the people are necessary. The evidence abounds in the fact that every nation creates such national institutions and often gives them prominence in the administration of basic services. These institutions are given different names in different countries. One traditional level has been Local.

How does the Local Government achieve this traditional role of provision of basic amenities with the array of constraints ranging from under-funding, lack of autonomy, prohibitive control of State Government, cost of electioneering campaigns, conflicts between the elected administrative officers, proliferation of Local Government and fragmentation of wards, demands of political parties stalwarts, loyalties to pressure groups, civil societies, professional bodies, transitory nature of tenure, disloyalty between vice Chairmen to Chairmen, councillors and their godfathers, intrigues, rancour, infighting, distrust, egoism, undemocratic nature of election procedure, lack of managerial skill on the part of elected officers, divisional and diversion tendencies, split of loyalty between oath taking and constitution and so on. Remarking on these challenges, H.I. Abubakar [9] writes:

At the local government level, we do not seem to see much evidence of involvement of citizens in articulating development priorities, not to talk of integrating these priorities into the National plan framework. Local Government authorities, which are supposed to cater for the well being of their people in their area of jurisdiction do not seem to be making enough effort to encourage participation of their constituents in articulating their needs.

4. THE WAY OUT

Our suggestions in this regard are premised on the fact that these problems enumerated are human problems and therefore cannot defy a human solution. Some of these problems would not have arisen *ab initio* if not for the human tendency to be unnecessarily difficult, egocentric and undemocratic at times in dealing with people and issues. Local Government as presently constituted in Nigeria is made up of the elected members and the administrative staffs. By constitutional and functional roles, the Chairmen, vice Chairmen, Councillors, supervisory Councillors belong to executive and legislative cadre and as elected officers have the mandate of the people.

The Secretary, Head of Personnel, Treasurer and the rest of the staffs represent the bureaucrats, the Professionals who are saddled to the daily running of Councils. The elected members depend on the professionals for expert advice and information on the intricacies and dynamics of Local Government administration. As seasoned administrators and permanent members of council administration, the administrative staffs have their work codes and ethics while also required to see to the effective implementation of the Executive and Legislative orders and directives. In summary, while the elected members make policies, the administrative officers see to the implementation of these policies.

There is however bound to be conflict between these two structures as noted by S. U. Akpan in an article [10], if this assigned role is rigidly interpreted. For success through unity of purpose, S.U. Akpan discourages exclusivity but advocates for complementarity of roles.

It is a fact that elected members should be interested in administrative matters that concern their constituency; therefore lack of communication can breed

distrust and acrimony. It should also be noted that administrative officers are not zombies just to do as they are told. They play significant roles in stimulation and formation of policies by offering necessary and relevant advice and evaluation to enable the best decisions to be made. Where decisions are taken in total disregard to their professional inputs, they may be reluctant to implement them knowing full well the administrative implications to their work if implemented. To preserve their dignity and job, conflicts sometimes arise which may lead to stalemate in the proper functioning of the council. Sometimes, the administrative staffs also implement policies without recourse to elected officers using the "sense of duty" as an excuse. Definitely, the elected officers are not expected to take it in good faith. The base line for reasonable action should be a reflection of the democratic principles of accommodation and respect for each other's rights.

Most often, council's activities are brought to a halt because of the conflict between the Executive and Legislative members; the Executive in this case comprises the Chairmen, the vice Chairmen and the Supervisory Councillors while, the Councillors make up the Legislative cadre.

First of all the administrative gradation makes it look as if the supervisory Councillors are more important than the Councillors. Naturally, the Councillors as elected representatives of their respective wards feel aggrieved that they too cannot participate in central policy-making process unlike the Supervisory Councillors. Sometimes too, no recourse is made to the councillors in the formulation of Council's policies and making of serious council decisions. The aftermath is what we have been witnessing in our Local Government, the use of legislative powers to impeach and stall the functioning of the Executive. All these

would not have arisen with little tact at accommodation, communication and openness of council operators. A lot rests on the person of the Chairman in the effective functioning of the local Council. Given the transitory nature of the council tenure for elected officers, a little good public relation could perform the magic of winning even the die-hard Councillor to the Chairman's side. The tactics of divide and rule, and favouritism only helps to aggravate the situation.

Fortunately, the Chairman has the tool of:

Bargaining- that is, negotiation, give and take, or compromise in order to reach mutually accepted positions sometimes with the need to shift positions.

Persuasion- that is, trying to convince others of the correctness and value of one's position; thereby, causing them to support and adopt such positions; persuading, unlike bargaining, Adams [11] notes seeks to build support for what he wants without having to modify their own position.

Command- that is, making decisions that have binding forces upon subordinates, most often with attached sanctions and incentives. Often, command does not work in most situations. It is better for the Chairman-in-Council, in the democratic spirit to always try the options of bargain and persuasion.

Another unfortunate scenario is the often-regrettable discord between the Chairmen and the Vice Chairmen. The constitutional role of the Vice Chairmen often jeopardizes the dignity of the office. However, as officers with the joint mandate of the people, it behoves on the Chairmen to know that the Vice Chairmen could actually contribute meaningfully to the running of the Council if given some responsibilities and the free hand to execute them. Sometimes, the Chairmen could have been very willing to cede these responsibilities if not for distrust and disloyalty. To remedy this situation, the

Vice Chairmen have the onus of assuring the Chairmen of their confidence, not by “juju-oath-taking”, but by their actions and utterances. However, the best solution, to my mind is the allocation of roles constitutionally to the vice Chairmen.

I strongly believe that the greatest hindrance to the workings of local Government is lack of autonomy. A situation where elected officers in council cannot decide what is best for the local community completely contradicts the very essence and existence of Local Government. Come to think of it, that Local Government envisioned projects and programmes have to be subjected to the scrutiny of the supervising ministry completely vitiates initiative, creativity and relevance of the local council; that the Local Government budget has to be subjected to the State House of Assembly completely arrogates the function of the council legislature just like the state budget would have had to be scrutinized by the National Assemblies.

In fact, the entire process makes the commissioner of Local Government a *de facto* Chairman and the State House of Assembly the *de facto* council’s legislature. The aftermath is as noted earlier, lack of initiative and commitment by local council officials since they are not sure of what to do and worst, their delegated functions have been arrogated. In fact, the commendation for any project executed by the Council would definitely go to the Commissioner of Local Government and the State Government.

It becomes then difficult to attract seasoned professionals and highly educated men to aspire to the Local Government offices because of public perception of this cadre of governmental administration.

The general attitude of elected council members apparently reflects this public perception since they have nothing at stake. Their accountability cannot be questioned since all expenditure has

already been approved and scrutinized by the expected ministries. The apparent lack lustre performance of Councils can be excused on the altar of “approval”. The local Council can only function to the extent the State Government desires and the supervising ministry directs and approves.

5. CONCLUSION

My earnest suggestion by way of conclusion is that for Local Government administration to be effective and efficient there is need for autonomy. Frankly speaking, the local administration is not democratized, so how can it contribute to sustainable democracy. The practice of “selection “ and “consensus” in choosing candidates for election at the Local Government level only leave the elected members at the mercies of godfathers, State Government and party hierarchy. The people who they represent have no justification to demand any accountability since they were not elected by their votes. Neither can they be recalled by the electorate as they were not voted by them in the first place. Given this backdrop, I would readily advocate the structuring of the local Council to reflect local realities.

Nigeria no doubt is practising presidential democracy, but the truth is that ours is far from the ideal. Even if we accept the argument for “home-grown” structurization, the point is that the local government as presently structured cannot deliver since its edifice is faulty and this is preventing the grassroots from feeling its impact. The only veritable solution is to fashion the local Council in accordance with our *sitz im leben*, possibly reflecting the Traditional Council where each of the villages send in representatives by way of selection based on certain stipulated criteria, with the Secretaries-in-Council performing the administrative and coordinating roles. In this way, there is

hope of getting out of this quagmire of politically killing, fraudulent practices, electioneering fraud, financial impropriety, corruption, administrative bigotry, mistrust etc., presently besetting the local Government administration.

My position is premised on the fact that no two democracies are the same. Given our peculiarities as a Nation, our democracy should reflect our ontological and epistemological proclivities as a people with homocentric inclinations. The scientific approach to local government structuring and administration makes it alien to the people who are supposed to be the operators and benefactors of the system. If it is the government of the grassroots by the grassroots then certain salient native ingredient should be incorporated into the system. For instance, the Nigerians know, recognize and obey their traditional rulers as divinely constituted persons. Such plethora of respect is not given to any elected person by way of election, worst with the kind of

fraudulent procedure usually adopted. Structuring the Local Government to involve the traditional rulers will give it not only the ontological base but also the moral sanctity that will promote its status.

Traditionally, Nigerians love to be talked to by their leader in the traditional set up. Issues are extensively discussed until conclusions are reached amicably. Though women were not allowed in some communities to participate at the crucial village meeting but the woman leader of some communities was always allowed to make contributions on behalf of the women folk. A kind of "town hall" arrangement where the representative arrange to meet the people at the village square to discuss their problems and priorities of demands will go a long way to bridge any communication gap and satisfy this yearning. This will be possible given the geographical extent of Local Government as against the expanse nature of the State.

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