

## **The Autonomy of Local Governments and the Place of the 4<sup>th</sup> Tier Government (Community Government Councils) in Nigeria's Vision 20:20:20 Project**

**F.C. Okoli**

*Department of Public Administration and Local Government,  
University of Nigeria, Nsukka-Nigeria*

Doi:10.5901/mjss.2013.v4n5p89

### **Abstract**

It is important to state right from the beginning, that this paper is a call for a revolutionary transformation, re-structuring and re-positioning the local government system in Nigeria for a more effective relevance to the realization of the country's 20:20:20 project. This paper therefore borders on Decentralization. In other words, the appropriate structural configuration a local government will take in order to be efficient, effective and result-oriented is the challenge of service delivery at the grassroots level.

### **Introduction**

The problem of this paper therefore borders on Decentralization. In other words, the appropriate structural configuration a local government will take in order to be efficient, effective and result-oriented is the challenge of service delivery at the grassroots level.

### **The Theoretical Framework**

The theory that informs this study is decentralization. This is precisely because decentralization upholds and exalts autonomy. Rightly or wrongly autonomy is seen as a structural panacea for administrative centralization, executive dominance and bloated federal octopus and procedural high handedness. This obviously was not the intention of the founding fathers of Nigerian federalism. The conceptualization of federalism by the Nigerian founding fathers, despite their initial misgivings about the project Nigeria, seemed to have been directed towards achieving particular political and social purpose predicated on integration and decentralization (Akume, 2010:16), or what is popularly called unity in diversity.

From the perspective of the first purpose, federalism has been seen as a means to unite people already linked together by bonds of nationality. The political units brought together are seen as part of a national whole. The various constitutional conferences, trips to London by the Nigerian leaders representing their respective regions in search for an independent Nigerian state, is a clear testimony to this purpose.

However, from the perspective of the second purpose, federalism is a means to unify diverse people for important but limited purposes without disrupting the primary ties to their existing government (Harman, 2004:333) or collectivities.

Mediating these two purposes, are other purposes that thrust to the fore the fundamental characteristics of federalism which are also its albatross. In the first place, federalism is the interplay of political power struggle between the various interest groups that make up the constituent units (Burkhead and Miner, 1971). It is also the principle of governance that promotes the continual balancing of centripetal and

centrifugal forces in such a way that the political system is sustained by a form of dynamic equilibrium (Diakwa, 2004:99).

In this way, federalism reflects the basic notion of involving the combination of shared rule for purposes and regional self-rule for others within the single political system so that neither is subordinate to the other (Watts, 1999:1).

This non-subordinate status of the various units in federalism, though applauded and echoed by scholars of federalism (Wheare, 1946; King, 1982; Laski, 1941, and Livinstone, 1956), challenges the basic rationale for federalism—that of effective service delivery by the tier of government better positioned to perform them (River, 1996). This is because in modern (states, federations) the national government is continuously being called upon to render more and more services to the people. Projects and services which hitherto were considered to lie within purely private and local domains are now regarded as national government responsibilities (Okoli, 2009:15)

Unfortunately, as the federal/national bureaucracy grows in complexity and functions, problem of effective coordination of its operations becomes more and more acute. Feldman and Milch (1982:246) put it succinctly when they wrote:

*...as the size and complexity of the bureaucracy increased, the coordination of activities across sectors became more imperative yet more difficult. Policy problems classified and assigned to the appropriate government sector for resolution may overlap sectoral boundaries; resolution frequently requires cooperation among agencies with different responsibilities. In the absence of institutionalized coordination, government activities become incoherent, unpredictable, even epileptic.*

At this stage certain services are either not efficiently and effectively provided, or not provided at all. Moreover, under the problems of poor coordination there may be some spatial inequalities or lapses in the provision of these services, thus leading to charges and accusations of discrimination and favouritism on the part of the federal/national government. And these, in turn, lead to calls for decentralization.

### **Decentralization:**

Decentralization seeks to allow a measure of discretion to local institutions and levels of government in matters closest to them.

Institutions in a decentralized system admit of areal and functional divisions. Again, the overriding aim (in both form) is to give issues a local touch reflecting the spatial and demographic peculiarities of the issues concerned.

### **Areal Decentralization**

Areal decentralization is also called political decentralization. It involves creation of levels of authority and power with each level exercising a certain degree of independence/autonomy and discretion within its spheres. For instance, political or areal decentralization in Nigeria can be seen in the division of the country into federal, state, local government and possible community government levels. Each level has its own constitutional powers and functions and each exercises a certain amount of discretion in issues within its competence. We shall return to this later.

### **Advantages of Areal Decentralization**

The greatest justification for area decentralization is the desire to allow for local differences and the articulation of local opinion on national issues. It takes care of the problems of spatial disequilibrium and poor

communications network, especially in countries with extensive territories (like Nigeria). It fulfills the democratic yearnings of the people by giving them the opportunity to elect their own rulers to the local level.

### **Disadvantages of Areal Decentralization**

It can lead to differential application of national policies with disastrous consequences for national development.

By bowing to local politics and pressures areal decentralization may breed corruption, favouritism and inefficiency.

Since human and material resources are not evenly distributed in any country, areal decentralization may exacerbate local inequalities and inequities. The greatest disadvantage of areal decentralization is the possibility of goal displacement. Concerns for local issues may override national questions. There is always the problem of how to coordinate activities and projects which overlap or spill over territorial jurisdictions of the local units. In this instance local animosities and petty jealousies may deal death blow to national development aspirations. It is these problems that functional decentralization seeks to address.

### **Functional Decentralization**

Functional decentralization, which is also called administrative decentralization is concerned more with efficient and effective performance of functions than with areal distribution. The main concern of functional decentralization is to ensure that functions and services are conveniently rendered to the people. Consequently, a number of functional levels are established to step up performance. For instance, in order to ensure effective rehabilitation of all federal government roads in Nigeria, the federal government established the federal ministry of works with offices in the thirty-six (36) states of the federation, as well as in all the seven hundred and seventy-four (774) local government headquarters. Instructions and directives from the federal government in respect to road rehabilitation are then passed down the line through the federal ministry of works to the local government offices for implementation. In this way functional or administrative decentralization promotes uniformity of national policies since the same policies will be implemented in all the local governments in the federation.

### **Advantages of Functional Decentralization**

Functional decentralization makes the achievement of national standards in all national problems its major preoccupation.

Even in this search for national standard, it also allows for reasonable adaptation and adjustment to reflect local needs and peculiarities. Since there is an unbroken chain of administrative hierarchy, each level stands to benefit from the expertise of professionals in other levels. Where the federal government is held in high esteem, this is easily transferred to the field activities of the federal ministries, thus resulting to mass support for the programme.

### **Disadvantages of Functional Decentralization**

One obvious disadvantage of functional decentralization is the danger of inadequate coordination of the various levels thus, leading to haphazard implementation of well-conceived national programmes.

Functional decentralization insulates the executive and its operations from the ready scrutiny of the legislature since the regional and areal offices are usually located far away from the state capital.

Functional decentralization can inadvertently operate to transform professionals into "thin gods" in the field where their professional advice holds sway.

Functional decentralization may drive the local population into a state of apathy, alienation and unresponsiveness to government programmes by ignoring local opinions and politics.

Decentralization (areal and functional) has become the hallmark of modern states. Because of the nature and sheer magnitude of the challenges facing modern states centralization (bloated federal bureaucracy) has become increasingly untenable. All practical attempts at centralization have ended up being no more than glorified decentralization: Thus, modern government has come to be associated with the appropriate forms of decentration to realize national objectives, especially the 20:20:20 project.

### **Application of the Theoretical Framework to the Study.**

In applying the theory to the study, we shall always bear in mind that the problem or challenge of the study is discovering the appropriate form of decentralization that can ensure and promote effective and efficient service delivery to the grassroots level. In this enterprise, we shall take liberty to identify and isolate the advantages of both the areal and functional decentralization and use them as the building blocks for our preferred form of decentralization.

### **Autonomy of Local Government and the Place of the 4<sup>th</sup> Tier Government (Community Government Councils) in Nigeria's Vision 20:20:20 Project.**

To appreciate this section, it is necessary to operationalize the key concept in the discourse autonomy. What is autonomy in the context of local government in particular, and intergovernmental relations in Nigeria in general? Autonomy of local government in relation to other levels or tiers of government manifests itself in three critical areas as follows:

- a) **Authority Relationship:** The authority relationship among the national, state and local governments is very crucial. It is the pattern of relationship that will determine whether what obtains is local government or local administration in the first place. Where the local unit enjoys a grant of authority over specific area and wide range of functions, then what obtains is a devolved local government. But where, on the other the unit enjoys a grant of authority just enough for execution of specified functions and services then what obtains is a deconcentrated local government or indeed a local administration.
- b) **Finance:** This is another crucial element of autonomy. Where the local unit has adequate and independent sources of revenue for the initiation and execution of its specified functions and services, then local government obtains. On the other hand where the local unit is not financially independent, then independent action is not possible, and what obtains is local administration.
- c) **Personnel:** Any local government must be able to recruit and maintain its staff. The authority to "hire" and "fire" is one of the determinants of organizational autonomy and maturity. Any organization that depends on another organization for its personnel, can, at best, be described as an extension of that other organization, as the loyalties of the employees will most certainly go to the organization that has control over them.

### **Autonomy and Effective Performance of Local Government in the Area of Service Delivery at the Grassroots Level.**

It is clear from the elements of autonomy discussed above that for local government to function effectively and efficiently as the third tier government, it must not only be autonomous but must be seen to be so. For our discussion of autonomy to be more meaningful, we must introduce some elements of our theoretical framework, especially the advantages of areal and functional decentralization. By combining these with the

elements of autonomy already discussed we shall be in a position to sketch the structural configuration of a 4<sup>th</sup> tier government (community councils).

The third tier government (local governments) are generally believed to have failed woefully in the discharge of their constitutionally assigned functions (Haque, 1971; Okoli and Ikejiani Clark, 1995) This failure can justifiably be linked to their lack of autonomy. This position becomes clearer when we subject our local governments to the autonomy test as identified earlier. For instance, in the area of authority relationship, the local governments are clearly subordinated to the other tiers of government. Infact, the 1999 constitution, at best muddles up the status of local government, and at worst denies local governments independent existence. For instance, and fundamentally, of all the tiers of government in Nigeria, it is only the local government that does not have the characteristic tripartite division of governmental functions. It is only at the local government level, that the judiciary does not exist and function. Any government that can make, implement, but cannot interpreter and pronounce on its laws is, indeed, no government. It is this serious lacuna that has greatly vitiated the status of local government as a government. In the area of finance, the local governments do not fare any better. Even though local government is the government closest to the grassroots, its statutory share of the federation account is not commensurate with its assigned functions and responsibilities. Moreover, even the amount that is due to it, does not get to it directly, but must be paid into the state local government joint account to be shared by a law made by the State House of Assembly, further compounding the financial helplessness of the local government. In the area of fiscal rights and revenue sources, local government is constitutionally consigned to the wasteland of non-viable sources of revenue. Apart from the inelasticity of the few local government sources of revenue there is also the problem of overlapping fiscal jurisdictions between the federal and local government and between the state and local government. All these constitutional, procedural and institutional anomalies impoverish the local government and constrain its service delivery to the grassroots.

With respect to personnel, local government's greatest albatross is political interference, leading to the politicization of appointments and general human resources management at the local government level. Even though the local government service commission is responsible for staff recruitment, training, posting and career advancement of the staff of the local government, at least from grade level 06 and above, the situation on ground shows that the entire process has been politicized. Obiada (2012) has copiously documented the incidences and cases of unwarranted politicization of appointments in Anambra state local government system. The result has been a demoralized and inefficient workforce. Under the circumstance, local government cannot deliver any service, let alone effective and efficient one, to the grassroots. At best it delivers corruption, inefficiency and underdevelopment. It is now obvious that the third tier, as it is presently structured, cannot lift the rural communities from their present comatose position to launch them into the 20:20:20 project. What is required is a structure that is fully autochthonous, self-regenerating and self-generating and autonomous. This is the 4<sup>th</sup> tier government.

### **The Fourth Tier Government: A Panacea for Grassroots Lethargy**

In making this call for a fourth tier government in Nigeria, we are not oblivious of the enormous constitutional huddles and land mines that ambush such a "wild" suggestion. We are nevertheless emboldened by the fact that it is not a novel idea. It is an historical fact in some parts of the country. For instance, during the period of mobilization in Nigeria, 1966 to 1975, Mr. Ukpabi Asika, the then civilian Administrator of East Central State of Nigeria, effected a fundamental re-organization of local government by the Divisional Administration Edict 1971, under the Divisional Administration System.

## The Structure of the New System

A two-tier structure of Divisional and Community Councils was introduced. At the divisional level, the local authority in relation to a community council area was the Divisional Officer-in-Council of the Divisional Council, and in relation to an urban council area, the Resident-in-Council of the Urban Council. It formed the administrative and coordinating link between the state government and the community council, on the one hand, and between the state government and ordinary citizens, on the other. It was intended to bring government nearer to the people and so remove the gap between the people and their government. The Divisional Council was therefore, advisory. It discussed only matters that were brought before it, and like the colonial governor-in-Council, its decisions were presented to the Divisional Officer or Resident in form of a resolution as advice only. On agreement, the decisions become those of the local authority. The local authority vetted and approved the bye-laws and annual estimates submitted to it by the Community Council under its control. It also ensured that the accounts of the community councils were audited annually.

At the local level, the community, as the irreducible unit of political organization, became the focal point of the new system. The emotional attachment to community by its members was exploited. Community, in the new system, became synonymous with commitment, devotion, zeal, enthusiasm and development. Each kindred unit in a community formed a one-member constituency for purpose of election/selection. The traditional method of selection/election was adopted. Any citizen of Nigeria above twenty-one years of age, resident in the area for a period of twelve months immediately preceding the date of election, and registered in the register of elections maintained in the state, was qualified for selection/election as a councillor.

The new system of local government, as it were, brought government from the inaccessible olympian height to within reach of every community member, as though with the injunction "look, government is now yours. Go ahead with your traditional methods and constitutions". This was a recognition of the observation of a one-time Professor of Colonial Economic Affairs in the University of Oxford, that:

*However primitive the indigenous institutions may now appear, they did in fact, provide the individuals composing the indigenous society with that sense of psychological and economic security without which life loses its meaning" (in Ejikeme, nd.)*

As a result, the new system of local government retained only a minimum of imported ideas and concepts which, in recognition of the state and degree of societal evolution and development, were considered inevitable. Indigenous ideas and concepts dominated and permeated the new system of local government. As a result, viability of communities which, under the present economic theories, could have been the core determinant of local government structures, was completely ignored as it was in the traditional system. Viable or not, a community must exist even if it entailed greater exertion and hardship for its members. The new system was very clear on this for section 2 of the edict defines

*Divisional administration as A system of local administration intended primarily to coordinate the activities of the state government functionaries in the Divisions and local government in such a way as to ensure proper decentralization of function and active participation of the local people in the general development and management of their own affairs under the supervision of the local authority (quoted in Okoli, 2009:89).*

It is instructive that the present government of Anambra state of Nigeria under the leadership of All People Grand Alliance (APGA) Governor, Peter Obi, has resurrected or exhumed and adopted the community council system as the 4<sup>th</sup> tier government in the state. The present system in Anambra state replicates, in many significant respects, the community council system of the old EastCentralState under Mr. Ukpabi Askia.

First, like in the old system where Divisional Officers were in-charge, in the Peter Obi system, career local government officers are in-charge of local governments councils. Second, like in the old system, the new system under Peter Obi keeps the politicians and political appointees at bay. Third, like in the old system, in the new system under Peter Obi the community is the irreducible unit of political organization and the focal point of the new system. Apart from these similarities between the old and new system of community government, there are striking differences that may point the direction for more fruitful harnessing of the new ideas in community government. First, unlike in the old Asika system, where every community formed a community council, in the new Peter Obi system, every community is organized into a town union, under a president. Again, every community has a recognized traditional ruler, who together with the town union, forms the community government. Second, unlike in the Asika system, where the community councils depended primarily on their internally generated revenue, under Peter Obi, the state government gives monthly matching grants to the town unions for their development projects.

Unlike in the present local government fiscal arrangement where funds due to local governments are paid into the state-local government joint account, in the present Peter Obi system, the matching grants go directly to the town unions to be accessed and expended at will by the town union. To crown it all, under Peter Obi, all the town unions form on state-wide association which works directly with the state government in advisory capacity in all matters relating to communities in the state.

### **Advantages of Community Council Government**

One of the greatest advantages of the new system now being advocated, is the near total and comprehensive mobilization of communities for developmental activities.

Second, the community council system promotes enthusiastic and meaningful participation of the rural people in developmental activities. Third, community council system, through the government matching grants, endears the government to the people and makes them partners in development. Fourth, the community council system unwittingly, provokes competition among communities in developmental strides.

Fifth, the new system encourages the recruitment and training of future leaders in the service of their communities.

Sixth, the new system provides a veritable training ground for accountability and transparent leadership.

Seventh, the new system is a classic case of the realization of Ukpabi Asika's dichotomous philosophical dictum of "Olu Oyibo" the white man's job (civil service) and "Olu Obodo" community work. In the former the functionary can afford to cheat, embezzle, defraud and corruptly enrich himself or herself without qualms. But in the latter, he or she cannot even contemplate such an act because of the concomitant opprobrium such an act attracts and the shame and disgrace his Kiths and Kins stand to face.

Eighth, from many perspectives the new system is cheaper to operate.

Ninth, the new community council system combines all the advantages of both areal and functional decentralization, thus being an epitome of true decentralization.

Tenth, the most attractive potential of community council system (by whatever name it is called) is that of ensuring continuity, stability and peace throughout the country. This function derives from the fact that since communities do not change no matter the government or political party that is in power, they (the communities) become the immovable substrata on which any form of government can be foisted without necessarily destabilizing the polity.

The place of the 4<sup>th</sup> tier government (community government councils) in Nigeria's vision 20:20:20.

The Nigerian government, under the late President Umaru Musa Yarladua, had a vision. It has a vision where it saw itself dining and wining with the 20 most developed economies in the world. The nature and import of this vision can be better appreciated when it is remembered that Nigeria, presently occupies the 159<sup>th</sup> position in the world's list of developed countries. To make matters very critical and urgent, Nigeria, in

that vision, saw itself gracefully taking this 20<sup>th</sup> position in the year 2020- 8 years from now (2012): How can Nigeria achieve this tall ambition within the time frame? Or to put it gloomily, can Nigeria realize this visions at all? This paper answers the question in the affirmative. Nigeria can realize this vision if and only if it, among other structural and institutional innovations, creates the 4<sup>th</sup> tier government (community government councils). This is because, it is only the community government councils, as described above, that can rouse Nigerian rural population from their stupor, finger them, motivate them to accept challenges, and restore to them their dignity and humanity badly battered by decades of institutional and organizational highhandedness. In other words, it is only in the 4<sup>th</sup> tier government that relationship among the central, state and local governments can find expression in meaningful service delivery to the people. It is only under this system that the partnership between the people and their government can be fruitfully realized and exploited, thus quickening and widening the efforts towards the realization of 20:20:20 project in Nigeria.

### **The French Country Experience**

To conclude our advocacy for the fourth tier government in Nigeria, the French local government system presents a good picture and guiding light.

In France local government is the responsibility of both the French National Assembly and the French Ministry of Interior. The National Assembly makes all the laws that create and regulate local governments, while the Ministry of interior controls, monitors and supervises the local government through the appointment of prefects, who report regularly on the activities of the local government to the Minister of Internal Affairs or Interior. Okoli (2009:10) has beautifully summarized the French local government system when he writes:

*The efficiency-oriented French system operates within a deconcentrated local government structure. Deconcentration in the French model, is characterized by (a) a clear chain of command (b) a hierarchical structure (c) executive dominance and (d) legislative subordination.*

This historical control dates back to centuries of crises in France and necessitates that the French central authority monitors the activities of the populace. Moreover, the nature of the French Multi party system results in the formation of shifting coalitions, resulting in perennial political instability. Hence, the prefecting local government system maintains stability in French government. The central government may come and go, but the prefect and efficient local government system will continue, and this makes for continuity of the central government in French political system. The prefects are partly civil servants and partly political appointees and their role as civil servants sustains the French governmental system. The tenure of the office of the prefects is determined in their appointments and not by the government that appointed them, hence they are not expected to leave office with the government that appointed them.

Below the prefect is the arondi mayor. He is a sub-mayor in-charge of an arrondissements. These are districts in French local government system, and are headed by sub-prefects or mayor, especially in urban areas.

Below the arrondissements are the communes, small local government-councils headed by the chairmen of the local government, also called the mayors.

### **Conclusion**

In conclusion it can be seen from the above discussions, that the idea of 4<sup>th</sup> tier local government is not utopian. It has its antecedents in the community council system of the old EastCentralState of Nigeria, the Town Union government of Ukpabi Asika, the civilian administrator of East Central state of Nigeria 1967-1976. It is also definitely practiced in France. The structural configurations may differ, but the underlying



assumptions and ideas remain basically the same- effective mobilization and participation of the grassroots for more efficient and effective service delivery.

## References

- Akume, A.T. (2010) "The Effect of Intergovernmental Relations on Nigerian Federalism: An examination of Intergovernmental Management (1999-2007)". A post graduate Seminar Paper presented to the Department of Public Administration, University of Nigeria.
- Alderfer, H.F. (1964) *Local Government in Developing Countries*. New York: McGraw Hill Book Company.
- Brian, C. Smith (1985) *Decentralization: The Territorial Dimension of the State*. Winchester; M.A.: Atten and Unwin Inc.
- Brown –John, C.C. (1988) *Centralizing and Decentralizing Trends in Federal States*. Lanham: University Press of America.
- Burkhead, J. and Miner (1971). *Public Expenditure*. London: Macmillan.
- Diakwa, H.D. (2004) "The Politics of Intergovernmental Relations in Nigeria: Perspectives of the North – East Geopolitical Zone" in Festus, O.C. et. al (eds). *Intergovernmental Relations in Nigeria*. Ibadan (PEFS)
- East Central State Government (1971) *Divisional Administration Edict No. 18 of 1971*. Supplement to EastCentralState of Nigeria Extra-ordinary Gazette, No. 33 Vol. 2 of 9<sup>th</sup> August, A 82.
- Ejikeme (1970) Quoted in Okoli, F.C. (1981) "Three Decades of Local Government Reforms in Anambra State of Nigeria" *Ikenga: Journal of African Studies*. Vol. VI, No. 2, 1981, 77-79.
- Feldman, Elliot J. and Jerome Milch (1982) "Coordination or Control? The Life and Death of the Ministry of State for Urban Affairs" in Lionel D. Feldman ed. *Politics and Government of Urban Canada*. 4<sup>th</sup> ed. Toronto: Methuen.
- Gboyega, Alex E. (1981) "Intergovernmental Relations in Nigeria: Local Government and the 1979 Constitution" *Public Administration and Development* Vol. 1 281 -290.
- Haq, M.S. (1997) "Local Government in Developing Nations: Re-examining the Question of Accountability." In *Regional Development Dialogue*, Vol. 118 No. 20 111 –xxiii.
- Holland, S.W.C. (1963) Recent Developments in Local Government in Eastern Nigeria. *Journal of Administration Overseas*. Vol. II, No. 1, January.
- Marshall, A.H. (1965) *Local Government in the Modern World*. London: Althone press.
- Obiada, Justina (2012) "The Politicization of Appointments in Anambra State Local Government System". A Final Year Project Submitted to the Department of Public Administration and Local Government University of Nigeria, Nsukka.
- Okoli, F.C. (1972) National Integration and State-Creation Movement in Nigeria" in I.I. Ukpong (ed.) *The Nigerian Nation*. Calabar: Wusen Press Ltd.
- Okoli, F.C. (1981) "Three Decades of Local Government Reforms in Anambra State of Nigeria". *Ikenga: Journal of African Studies*, Vol. 5, No.1. 7-14.
- Okoli, F.C. (2009) *Theory and practice of Local Government: A Nigerian Perspective*. Enugu: Bismark Publishers.
- Okoli, F.C. and Ikejiani-Clark M.O. (1995) *Local Government Administration in Nigeria: Current Problems and Future challenges*. Lagos:
- Okonkwo, Prince S.I. (2003) *Comparative Local Government Study*. Onitsha: Noben Press Ltd.
- Roberts, F.O.N (1997) "Theories of Local Government and the Nigerian Experience: Discourse or Real Politic?" *Ibadan: Niser Monograph* series, No. 9
- Ukpabi, Asika (1970) *Budget Speech 1970*: Enugu: Government Printer.
- Watts, B.L (1999) *Comparing Federal Systems*: Kingston: Institute of Intergovernmental Relations, Queens University.
- Wraith, Ronald (1964) *Local Administration in West Africa*. London: George and Unwin.

