TRADITIONAL RULERS AND LOCAL GOVERNMENT IN NIGERIA: THE BAUCHI STATE EXPERIENCE 1976-1986

BY

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DECLARATION

I, ***Ado Amidu Andeley***, declare that to the best o my knowledge, the data contained in this dissertation is from original research and the dissertation has not been submitted to any other University for examination. All references made in the work have also been duly acknowledged.

CERTIFICATION

This thesis titled: Traditional Rulers and Local Government in Nigeria: The Bauchi State Experience 1976-1986 by Ado Amidu Andeley, meets the regulation governing the award of the degree of Master of Public Administration (MPA) (Local Government) of Ahmadu Bello University, is approved for its contribution to knowledge and literary presentation.

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To Ruth A. Andeley who has gone to be with the Lord on 1st January, 1996. May her humble soul rest in perfect peace, Amen.

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ABSTRACT

The study investigated why top government functionaries still hold traditional rulers in high esteem inspite of many allegations of misdeeds against them. It also examined the role they can play in the developmental efforts of Local Governments as envisaged in the 1976 Reforms.

The objective was to bring to light the main sources of powers and influences of these rulers on public officers despite several administrative and political changes that had taken place since 1976. The work also considered the workability of the suggested option of abolishing traditional institutions against the evidence gathered from our area of study.

Some of our findings are that: traditional rulers still command high level of respect among the ruling elites and the mass of the people in Bauchi State. Inspite of this respect however, people are not willing to accept the traditional rulers' active participation in the administrative, executive and legislative functions of Local Governments. The issue of relevance is neither here nor there because the traditional rulers are only relevant to modern Local Government Administration only to the extent to which they support the status quo.

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CHAPTER ONE

INTRODUCTION

1.1 STATEMENT OF THE PROBLEM

The State and Federal Government functionaries have always accorded some level of respect to traditional rulers as fathers of their communities, as custodians of their people's culture and as the link between the present and the past. It was in recognition of this role that the National Guidelines for the 1976 Reform of Local Governments in Nigeria provided among other things that:

> Emirs or paramount rulers who are local government council presidents should avoid any kind of political partisanship, otherwise they cannot maintain their public position as impartial fathers of their people.

In this regard, traditional rulers have come to be accepted implicitly by the masses of Nigerian citizens as symbols of authority whose wisdom and mature counsel on local issues are greatly cherished. The 1976 Reform Guideline also provided that Development plans of Local Governments should be forwarded to Traditional Rulers for their inputs before final copies are produced. Minutes of Local Government Council meetings should be sent to the Royal fathers for their information. In specific terms, traditional rulers are expected to assist Local Governments in:

1. registering taxable adults for community tax;
2. collection of such taxes as may be directed by the LGC from time to time

3. mobilising people for self help efforts;
4. disseminating information to the people in respect of government policies and actions;
5. maintaining peace and security as members of peace and security committees.

Inspite of these important functions, there has been a consistent call by some observers and vocal commentators that the institution has outlived its usefulness and should therefore be scrapped. Some scholars have argued that government should transfer the financial burden of maintaining the institution to any community that wants to retain it. It has also been argued that traditional rulers in many societies continue to serve as agents of exploiters of the masses through their activities and unofficial influence on top government functionaries. Furthermore, some commentators are of the strong opinion that the desire by Nigerians to democratise all tiers of government cannot go hand in hand with traditionalism.

In Bauchi State in particular and Nigeria as a whole, many cases of corrupt practices at local government level such as:

- financial mismanagement;
- election of councillors and chairmen
- employment and promotion of staff
- citing or location of projects
- execution of contracts
- confiscation of land

and many more can be traced to the doorsteps of some traditional rulers. All these issues constitute a cog in the wheel of progress of Local Governments. Be that as it may, one would like to pose the following questions as problem for investigation in this thesis.

1. Why do top government functionaries still hold traditional rulers in high esteem inspite of many allegations of misdeed levelled against them?
2. Do traditional rulers really have any meaningful role to play in the developmental efforts of local governments as envisaged in the 1976 Reform?
3. Do the masses of Bauchi State sincerely believe in the role of traditional rulers as fathers and as such should have legislative functions to perform at local government level?

Answers to these and more questions constitute the main focus of this thesis.

1.2 OBJECTIVES OF THE STUDY

On the basis of the fundamental questions raised above, this study is meant to achieve the following objectives;

1. to examine and bring to light, the main sources of the powers and influence which traditional rulers still exert on public officers over the years, inspite of the several administrative and political changes that had taken place since 1976;
2. to examine and find out the workability of the call for the scrapping

of traditional institutions from the Nigerian body politics and administrative set up at local government level;

3. to suggest a new course of action that would reduce the negative influence of traditional rulers on local government councils;
4. to contribute to the on-going debate for and against the retention of the institution and its involvement in the legislative functions of local governments.

1.3 JUSTIFICATIONS FOR THE STUDY

It has been argued that the 1976 Reform stands out above all previous reforms in the country in many respects. It formally and unequivocally recognised the fact that local government constitute a distinct level of government with defined boundaries and clearly stated functions, and above all made provision for ensuring adequate human and financial resources.

The reform also imposed a nation wide uniformity and entrusted political responsibility to where it is more crucial and more beneficial - that is the people. Thus, the 1976 Reform recognised representative Local Government Councils with a view to promoting grassroots democracy. The reform also made provision for councils with complete and self sustained budgets such that all their components should be identified, costed and coordinated. Furthermore, the reform made provision for the establishment of councils to which the Local Government Council could delegate specific functions. But despite its elaborate provisions, the 1976 Local Government Reform left unanswered such theoretical questions as what should be the specific

executive functions of traditional rulers at the local government level in Nigeria? Over the years, traditional rulers have been carefully relegated to the background as far as governance is concerned. This study becomes justified because it will explore the possible reasons underlying the present ambiguity of the role of traditional authorities in Local Governments in Nigeria.

Secondly, the problem of traditional rulers has been described as a predominantly 'Northern' problem since it is in this location that the existence of dual authority structures - the traditional and the secular - is unavoidably well pronounced.[1] This study becomes justified especially when it chooses Bauchi State, in the North, as its area of focus.

There is currently, a debate on the position of traditional rulers in society. To the extreme left we find the school of thought which believes that the institution is anachronistic and reactionary and therefore should be disallowed any political role beyond nominal recognition. To the extreme right is a school of though that supports the precolonial position for the traditional rulers in the governance of Nigeria. In between these two extremes is the third school which argues for a modification of their pre-colonial roles to meet changing societal conditions. This study is important because it will attempt to synthesize these positions against the background of existing evidences in our areas of study.

Finally, this study can be justified further by the fact that it is conducted at a period when attempts are being made to return Nigeria to a democratically elected civilian rule. It will grapple with the question of the future role of traditional authorities in

government and administration in Nigeria.

1.4 HYPOTHESES

For the purpose of this study, the following hypotheses are tested:

1. That the prominence or high respect given to traditional rulers any where in Nigeria is a function of convergence of economic and political interest of traditional rulers and chief executives at Local, State and Federal Levels.
2. That the role of Local Government as agents of development is more effective under democratic condition than under traditionalism.
3. That in Bauchi State (as it is anywhere in Nigeria) traditional rulers are more relevant to Local Government administration through their involvement in regulatory and extractive functions than through any other developmental functions.

1.5 ASSUMPTIONS

These hypotheses are based on the following assumptions:

1. That traditional rulers and top government functionaries belong to the same ruling class that exploits the masses through legislative and executive functions.
2. That Local Governments do not really need the services of traditional rulers; rather they require the participation of the masses in policy making and implementation through their representatives and through self-help efforts.
3. That the much talked about respect for traditional rulers as fathers of their

communities is more of a myth than reality. Left alone, the masses can live their life happily without traditional rulers.

1.6 DEFINITION OF CONCEPTS

For the purpose of this thesis, the following interpretations are given to the concepts of:

a) Traditional rulers

b) Local Government

c) Development

d) Democratic Practices

e) Convergence of Economic and Political Interest

Some key concepts need definition in this study. These are:

a) Traditional Ruler

This concept has been defined differently by different people. In the Bendel State Law of 1979 a traditional ruler is defined as:

> The head of an ethnic unit or clan who is for the time being the holder of the highest traditional authority within the ethnic unit or clan and whose title is recognised as a traditional ruler title by the government of the state.[2]

This definition provided by Bendel State Law has been criticised in various ways. For the purpose of this study, the concept is generally referred to as any state system

predating colonialism. The group referred to as traditional rulers are individuals occupying communal political leadership positions sanctified by culture, mores and values, and enjoying the legitimacy of particular communities to direct their affairs.

b) Local Government

The Guidelines on Local Government Reforms (1976) defined local government as:

> Government at the local level exercised through representative councils established by law to exercise specific powers within defined areas. These powers should give the council substantial control over local affairs as well as staff and institutional and financial powers to initiate and direct the provision of services and to determine and implement projects so as to complement the activities of the state and federal governments in their areas and to ensure devolution of functions to these councils and through the active participation of the people and their traditional institutions, that local initiative and responses to local needs and conditions are maximized.[3]

For the purposes of this study, a local government is accepted as any legal personality with sufficient but limited powers of control over its staff, finances and functions devolved upon it by the central government. This definition was further developed by M.P. Barber when he stated that:

> Local government means authority to determine and to execute matters within a restricted area inside and smaller than the whole state. Local government involves administering of services on a local basis by local bodies.[4]

c) Development

For the purpose of this thesis, the concept development is seen as any attempt at removing mass deprivation through the enhancement of such basic needs as earning opportunities, extension of essential public services, provision of relevant goods and services and appreciable level of local participation in the determination of those decisions that are aimed at regulating peoples lives. Thus, a local government can be said to be developed where it proved its worth in the areas of:

- provision of services close to where the people live
- develop leadership qualities in its people through their participation in governance;
- involve the people in development process through self-help efforts and contributions of financial resources;
- open a two way channel of communication between the populace and all arms of governance at the local level.

d) Democratic Practices

In this work, democracy is accepted as the key to development process at the local level. Democratic practices are seen to exist only to the extent to which the local government encourages its own populace to:

- participate in decision-making and implementation
- participate in choice of representatives to run the affairs of their local governments;
- contribute to prudent management of local resources;

- have a say in the spreading of local government projects equitably to the right target groups in the communities that make up the local government.

e) Convergence of Interest

Convergence of interest is used in this work to mean the unity of purpose. In their respective quest for the hegemonic control of the state, the two fractions of the governing class use different methods. While the political leaders use the state apparatus and its coercive might to advance its views, the traditional leaders use sentimental instruments of religion and culture. They however, perfect the act of co-optation as a means of neutralising the power of one another.

1.7 RESEARCH METHODOLOGY

Data for this work was generated from both primary and secondary sources as described below:

a) Primary Data

This was generated through administration of questionnaires and interviewing of randomly and stratified sampled respondents made up of traditional title holders, local government councillors, chairmen, career officers and community representatives. These respondents, totalling 210 were selected from nine local governments (that is, three from each of the geopolitical zones of the State), and six of the seven Emirates of the State. This distribution is as contained in Table 1.8.1 below.

TABLE 1.8.1

DISTRIBUTION OF RESPONDENTS ACCORDING TO LOCAL GOVERNMENTS AND EMIRATES

ZONES	LOCAL GOVERNMENTS	EMIRATES/ CHIEFDOMS	CATEGORIES OF RESPONDENTS						TOTAL
			A	B	C	D	E	F	
Katagum	1. Katagum	Katagum	3	1	10	6	2	2	24
	2. Misau	Misau	2	1	10	6	2	2	23
	3. Jama'are	Jama'are	2	1	10	6	2	2	23
Bauchi	1. Bauchi	Bauchi	7	1	10	6	2	2	28
	2. T/Balewa	Bauchi	-	1	10	6	2	2	21
	3. Alkaleri	Bauchi	-	1	10	6	2	2	21
Gombe	1. Gombe	Gombe	3	1	10	6	2	2	24
	2. Billiri	Billiri	4	1	10	6	2	2	23
	3. Balanga	Balanga	-	1	10	6	2	2	23
TOTAL	9	7	21	9	90	54	18	18	210

KEY: a) Traditional Rulers and Title Holders

b) Chairmen of Local Governments

c) Councillors

d) Heads of Departments in the Selected Local Governments

e) Leaders of Development Associations in Selected Villages

f) Primary School Headmasters in Selected Villages and towns

A total of 210 questionnaires (prepared in three sets) were sent out to the above named respondents. The three sets of questionnaires were prepared and sent to:

a) Traditional title holders

b) Local Government Officials (Chairmen, Councillors and Career Officers)

c) Community leader (Leaders of all Development Associations and Headmasters).

Out of the 210 questionnaires sent to respondents, 185 were returned. The missing 25 were sent to past Chairmen and councillors who have left their Local Government Areas for other towns either for business or employment.

b) Secondary Data

These were generated mostly from existing records in the local government secretariats, Emirate/Traditional Council Offices, Development Area Offices and Development Associations. These records include Local Government Council Minutes, circular from State and Federal Governments, Bye-laws, Budgets, Financial Records, Reform Guideline and Emirate/Traditional Council Minutes and Correspondences to the State and Local Governments during the period under review.

Other sources of secondary data include published texts, journals, newspapers and unpublished theses and seminar papers.

c) Treatment of Data

Data collected from the two sources described above were collated and some, especially numerical ones, tabulated and analysed manually. Techniques of data presentation like charts,

1.8 OUTLINE OF THE THESIS

The thesis is divided into five chapters. The first chapter deals with the introduction and the statement of the research problems. It also contains the objectives and the justification for carrying out the investigation. The methods of data collection and the justification for the use of such data collection techniques were also stated in the first chapter.

The second chapter deals with the review of related literature. From the literature reviewed, a theoretical framework was developed on the basis of which the study proceeded.

The third chapter contains the presentation of traditional rulers and local government in Historical Perspective in Bauchi State. It contains the discussion on the Role of Traditional Institutions in Administration from pre-colonial era to the present day. The chapter also presented the changes the institution witnessed with respect to their roles in local governance.

In Chapter Four, we presented and analysed the data collected on the basis of which we made a summary and conclusion in Chapter Five.

FOOTNOTES

1. J.B. Adewumi and J.O. Egwurube. The Role of Traditional Rulers in Historical Perspective. In O. Aborisade (ed.) Local Government and the Traditional Rulers in Nigeria. University of Ife Press, Ile-Ife, 1985, p. 21.

2. Bendel State Traditional Rulers and Chiefs Law, 1979.

3. Guidelines on 1976 Local Government Reforms, p. 1.

4. M.P. Barber. Local Government. London, MacDonald and Evans, 1974, p. 1.

CHAPTER TWO
LITERATURE REVIEW

The traditional institution seems to be the most enduring political institution in Nigeria. It has survived through different systems of government from colonial rule, civilian rule to military regimes. While the degree of importance of this institution depends on the whims and caprices of every Nigerian government that comes to power, the institution has however, never completely been over-looked by any Administration since the colonial epoch.

In precolonial Nigeria, traditional rulers were more or less the executive, legislative and judicial arms of government in their various communities except in the former Eastern Nigeria. The Colonial Administration found the institution so amenable to their administrative objectives that they did not only uplift the position of traditional rulers but in fact created others in areas that hitherto had never had any such rulers. As Robert Ola observed:

> Whether in the North or South of Nigeria, the position of traditional authorities had been vitally important since the pre-British days. Local rule developed around the traditional authorities. Generally, they were considered by their people as repositories of religious, executive and legislative as well as judicial functions.[1]

Lucy Mair writing on colonial days, said of colonial rule in

Africa that:

> It has set in motion a radical change in African society... In some field, this has not been the result of any deliberate intention... In the field of politics, European governments have been obliged to define their intentions towards authorities which they find in existence and here, in there was a clear-cut choice

> from the start. Either the holders of power in the indigenous societies should be recognised, and utilized as part of an administrative structure of large scale, or they should be perhaps deliberately destroyed and replaced by what Albert Surrant once called 'new and rectilinear architectures'. The British choose the first course.[2]

The holders of power in the indigenous societies mentioned above were the traditional authorities. In Nigeria, the stand taken by the British Government was contained in an instruction given in 1893 by Sir Claude Mcdonald (British Consul General in Oil Rivers Protectorate) and his successor. The instruction was as regards the internal affairs of the district. He wrote:

> That it is not desirable that you should interfere with the tribal government, the chiefs (traditional authorities) should continue to rule their subjects and to administer justice to them; but you should keep a constant watch so as to prevent injustice and to check abuse, making the chiefs to understand that their powers will be forfeited by misgovernment... You should be careful not to Arouse discontent by attempting too abrupt.[3]

This instruction marked the beginning of indirect rule and the British Government's recognition not only of traditional authorities but also of what was to be known later as customary law in Nigeria. Perhaps the success story of indirect rule in Nigeria would have been different in the absence of the traditional institutions.

During the first republic, the position of traditional rulers was further enhanced when they were given pride of place in the executive functions of the Nigeria State; this was epitomised by the creation of houses of Chiefs in all the regions of the country. The houses of Chiefs enjoyed almost the same powers as the legislature

including the right to make financial app. opriations.[4] The implication of this provision, as argued by Whitaker, was the granting to the chiefs of the collective power of veto over all matters that were within the competence of the regional government. Not the least of this was the power to pass laws affecting their statuses and powers. That some chiefs could even occupy the highest decision making positions as ministers also implied that they could speak for themselves and make policies of far reaching consequences for the region. The overall implication for this is summed up by Whitaker:

> ...thus entrenched in the constitution these emirs were especially well protected against any proposal that might have worked against them. At the same time their strategic position in regional affairs affirmed the impression community held in the emirates that the new democratic institutions at Kaduna were an extension of the authority of emirs not their retrenchment.[5]

In the Eastern region the initial political activities centred around Onitsha which has been described as the "fulcrum on which the politics of Eastern Nigeria pivots". By 1953 the Onitsha indigenes had formed the Native Authority under the Obi and his traditional council. Before the reconstitution of another council the Onitsha Ibos appealed to the Minister for Internal Affairs among other things that the right of natural rulers and elders be substantially represented in the local government councils. They solicited for the support of the non-Ibo chieftaincies of Calabar and the Delta area. This support resulted in what Skalar calls "the Onitsha emphasis in the prerogatives of chiefs in general and the particular desirability of creating a Regional House of Chiefs as an upper chamber of the regional

legislature.

After series of negotiations between regional govern-ments, the chiefs and different interest groups, the government decided to provide a council made up of thirty seven members with the Obi of Onitsha as president, twelve other traditional rulers and twenty four other members.

In the West because of the local politics there, the Action Group had to court the friendship of the traditional authorities, they went on to organize local government councils out of which representatives were to be chosen into the house of chiefs. The government also, in soliciting for the opinions of the chiefs instituted the annual conference of obas and chiefs and through it mobilise support. Unlike the North however, the Western chiefs did not have the executive powers that the Northern chiefs had.

With this constitutional arrangement, a pact, umpired by the British colonialist, would seem to have been signed between the nationalist and the traditional rulers and from then on the regional government came to be run by the two, even though the politicians remained the most visible.[6]

During military rule, while the role of the traditional rulers might have declined compared to what it was during the preliminary days, they were not, however, completely overlooked by the military. In 1966 for instance, it was the traditional rulers that the military first turned to in their bid to restructure the Nigerian political system.[7]

In May 1966, the Head of State, General Ironsi, attempted concentrating power at the centre in what appeared to be a move towards unitary government. So the government clearly depended on the support they could get from these rulers.

Also, the Governor of Northern Province, then Major Hassan Usman Katsina, in a National Broadcast on 24th May 1966 revealed his plan to consult with the chiefs since he believed that they were "respected by all of us".[8] He further asserted that:

> It is the duty of all leaders of opinion particularly our chiefs to enlighten the public about their civic responsibilities. They should know the opportunities which are now open to them if they bring their intelligence to bear on the problems facing us and produce constructive proposals in search of a better life for all of us.[9]

In another address to the chiefs at a Conference which he convened with all the Northern Chiefs on 16th June, 1966 the Governor declared that:

> This interim government intends to consult public opinion before reaching major decisions and in the absence of party political activity, I can see no better body to inform the government of the wishes of the people than yourselves.[10]

Similarly, the second military administration found the traditional rulers equally important in their political programmes.[11] In the Local Government Reforms of 1976, the government put traditional rulers above partisan politics. Many welcomed this development and argued that it offered hope for restoring the glory of an institution that is dying out fast and yet one that is still very generally respected by large sections of all Nigerian communities.[12] Despite series of reforms, the institution has remained a very formidable force in the making of the Nigeria State.

As R.F. Ola further posits, the arguments in favour of the institution are as follows:

i. that chiefs can continue to show leadership in teaching and perpetuating the traditions and age long customs of the people;

ii. that even where these customs and traditional festivals become mere annual ceremonies, chiefs can continue to be their custodians and thereby keep alive the interest of present generation in the things of the past;

iii. that they can continue to be very active arbiters. The palace of the traditional chief continues to be a more satisfying place (probably in some cases cheaper than the regular customary courts or the magistrates' court) for the settlement of minor disputes. In doing this, chiefs decongest the ordinary courts, arrest anti-social behaviour and bring about peace;

iv. in addition, they form the forum of the former customary court system. That such courts should continue to run paralleled to the magistrates' court has come to be accepted in most parts of Nigeria. The role of the traditional chiefs as an essential arm of the Judiciary can hence not be controverted if they can retain their non-partisanship;

v. a traditional chief is the expert on local matters. Because he knows the history of his people, where they come from, how they got there and who owns what, he can be a source of confidence in getting at the right solution in land disputes and family problems;

vi. the fact that he maintains continuity in local political system puts the traditional chief head and shoulder above any local politician. Though a Local Government Chairman can be extremely powerful for a while, he has to quit the moment his part is defeated at the polls. The Secretary to the Local Government will also quit or be transferred. The tradi-

tional chief remains;

vii. further, he remains in the positive capacity. He is in all parts of Nigeria the ceremonial president of the local government. He is able to give advice to the local government on traditional, customary and chieftaincy matters.[13]

It can be argued from the foregoing that if traditional rulers fulfil all the essential functions of modern government, that is, Judiciary, Executive and Legislative, and if they also perform such functions in an independent, non-partisan manner, then we will need to explain the failure of the 1976 Local Government Reform to assure the continuity of their role and confirm the future of their position within its provisions.

In 1984, the military set up a 20 man committee headed by Alhaji Ibrahim Dasuki, to review the workings of the local government system in the country, which appeared to have collapsed during the tenure of the civilian government that ended on 31st December, 1983.[14] In its report, the committee recommended, and this was accepted by the Federal Military Government, that traditional rulers, through the traditional council of local government, should have the draft copies of the local government development plans, annual estimates, bye-laws, etc., well in advance for advisory comments, before such are approved.[15]

In effect, this means giving the traditional rulers in a local government the powers to vet the major functions and decisions of local governments before they can become effective. The consequences of this would be that the powers of the local government councils in taking decisions would become subordinated to an unelected body. This innovation seems to detract much from making local

governments in Nigeria a strong third tier governmental organisation in the grassroots as envisaged in the 1976 Local Government Reforms.

The Dasuki Panel was not the first commission established to examine the problem areas in the working of Nigerian Local Government with a view to reacting to these. There were instances of previous reforms of the local government system in Nigeria; infact, when Frederick Lugard's Indirect Rule system was introduced in Nigeria, it brought the traditional rulers in Northern Nigeria into a close symbiotic relationship with the former all-powerful British resident. This was merely a variation of the erstwhile indigenous local government system where the local rulers had unlimited sovereignty over their respective domains.

Donald Cameron, Governor, of Nigeria from 1931-35, modified and modernised Lugard's Native Authority or indirect rule system by promulgating the Native Authority Ordinance Number 43 of 1933 and the Native Court Ordinance number 44 also of 1933.[16]. With this Ordinance, Cameron introduced three types of native authorities - Native Authorities constituted as Sole Chiefs, Chiefs Associated with Councils, and Councils. Although the structure of native authorities had been changed by the 1933 Ordinance their rule making, Executive and Judicial roles remained unchanged.

In 1933 there was a real redefinition of local administration in the North and a serious reappraisal of indirect rule in the South. These two actions were deemed necessary because of Lugard's successors' attitude towards Native Authorities in the North and the need to reorganise Native Authorities in the South following the Aba Women's Riot.[17]

In 1934, Cameron wrote the PRINCIPLES OF NATIVE ADMINISTRATION AND THE APPLICATION. In the book, Cameron emphasised the development role of Native Authorities, according to him:

> I doubt sometimes whether we have done a great deal to impress on the minds of the Native Authorities concerned that the amelioration of the social and economic conditions of the people is one of the primary duties of an administration and that the inspiration to improvement must come from within, from the Native Administration itself.[18]

Cameron changed the philosophy of British Colonial Administration from indirect rule to indirect administration which emphasised the necessity to train staff of Native Authorities and attract educated elements into the system. This implied the ending of the Native Authority as an exclusive preserve of traditional authorities. Infact, Donald Cameron stressed the need to appoint as Native Authorities, Traditional Authorities who were acceptable to the people (educated and uneducated).[19] Both legislation introduced by Cameron sought to democratise the local government system in Nigeria by expanding their composition.

It has been observed that the 'problem' of traditional rulers is primarily at the local level since it is at this level that they exercise legislative, executive and judicial powers in various shades.[20] But invariably, this leads us into a problem; the problem centres around finding a place for an institution which from all indications wields considerable influence, but which seems to be theoretically contradictory to modernization goals.[21]

While defining Local Government, the Guidelines on 1976 Local Government

Reforms evoked "the active participation of the people and their traditional institutions"[22] as constituting the essential ingredients of local governments. Some have gone further to suggest that traditional rulers be vested the assent powers to local government bye-laws, at least for delaying until tempers cool over the very controversial local government legislation.[23] The Babangida regime has shown considerable interest in making extensive use of traditional rulers at local level;[24] this has made some people suggest triarchy (a government jointly run by civilians, military personnel and traditional rulers) as the form of political arrangement best suitable for Nigeria's Third Republic.[25]

With regards to the institution of traditional rulers, the philosophy of the 1976 Local Government Reform was that the role of the traditional rulers should neither be executive nor non-participatory. While being removed from the executive decision making process of duly established democratic local government councils, traditional rulers were still retained as advisory local government actors through established Emirate/Traditional Councils.

The effects of this Standardization were more felt in the North since traditional rulers could not overnight be converted from principal local government actors into passive participants.[26]

It is at this point that another problem of traditional rulers came to light. Basically, this problem relates to the degree of decision making prominence which government should give to ascriptive dynastic traditional rulers in the context of a gradually evolving local government system directed at popular representation, citizen participation and mobilization.[27]

As legitimate political institutions in the eyes of the majority of rural

inhabitants the tendency was noted in many areas of the North for rural problems and demands to by-pass established local government councils direct to indigenous authority structures.[28] Through the 1976 Local Government Reforms, the military leadership has in some ways completed the work started by the civilian leadership by establishing an institution - Emirate/Traditional Council at the local level for the traditional authorities and keeping them away from the Local Government Councils.

The question to ask however, is whether the 1976 Military Solution is a satisfactory arrangement for the future with regards to the position of traditional rulers in local government in Nigeria?

2.1 TRADITIONAL RULERS AND LOCAL GOVERNMENT IN NIGERIA

Scholarly attention on the issue of traditional rulership in modern Nigeria has become mostly dispersed, since the symposium by Crowther and Ikime was published.[29] Besides Crowther and Ikime's historical studies, recent works have attempted to approach the issue from a Public Administration perspective.[30] In this chapter, we will review some of these works as they relate to the role of Traditional Rulers in Local Government in Nigeria.

In an address to a Conference on Traditional Rulers and Local Government in Nigeria, the Oba of Benin showed the need to appropriately provide a working definition for Traditional Rulers in Nigeria. The Oba of Benin opined:

> I think our starting point must be an attempt at some definition... Traditional rulers means the traditional head of an ethnic community whose stool conferred the highest traditional authority on the incumbent since the time before the beginning of British

> rule... If the position did not exist as such before the British... then to create it or promote to that highest traditional authority thereafter is nothing short of the untraditional... (this) makes distinction between a traditional ruler and a chief appointed by him.. the traditional ruler or king is not man made.[31]

It is however, doubtful if the definition provided by the Oba of Benin above can be accepted as a last word.

A.P. Sorkaa opined that the Oba's conceptualization of a traditional society and rulership is encompassed within the epoch just before colonial rule. A closer look at the definition shows that it is also carried out essentially in kinship terms. But what we had in Nigeria before colonial rule were groups whose fundamental identity was tied up not with kinship, but their mode of production.[32] Thus, we agree with Y.B. Usman when he says that:

> The notion of a traditional society is largely mythical and imaginary what is believed to be traditional society is far from being what has existed for all time, merely the main features, in most cases, of particular societies of Nigeria under colonial rule. What is believed to be traditional society is not something that existed in any past. It is essentially what has existed in the colonial and neo-colonial present and indeed only elements of it taken up and used for particular ends.[33]

According to Ranger, T:

> Recent studies of pre-colonial Africa have emphasised that far from there being a single 'tribal' identity, as shown in Oba of Benin definition, most Africans moved

> in and out of multiple identities defining themselves at one moment as subject to this chief, at another moment as part of this clan, and yet another moment as an initiate in that professional guild.[34]

Bitiyong advanced a number of factors justifying the interest in examining the traditional ruling structures as they relate to local government in Nigeria. First, he opined that:

> The government is of the opinion that genuine growth and development, in Nigeria which must start from the grassroots upwards must be based, on identifications and understanding of how our people in the various parts of the country have traditionally been organised for their socio-cultural political activities. Although no specific mention has been made of traditional ruling structures, yet it is clear that implementation will depend on traditional ruling authorities.[35]

The second justification for examining the traditional ruling structures, Bitiyong argued, is based on the fact that it has:

> Historically been very involved in the running of the affairs of the rural areas on behalf of government. While debates continue on the present status of traditional rulers in the contemporary political dispensation, the author concluded that the institution has not been completely marginalised despite series of reform measures undertaken by administration.[36]

These views are further strengthened by Adewumi who, while recognizing the various attempts made at reorganizing the different indigenous political institutions to bring them in

line with changing needs and circumstances, however, insists that:

> Such reorganisations have hardly achieved an overthrow of the highly personalized indigenous authorities who have continued to survive various attempts at introducing representative and responsible local government structures.[37]

The final justification for this exercise is that even if one were to accept the official elimination of the centrality of the traditional rulers in determination of affairs at the local level:

> Empirical evidence showed that the extent to which these institutions were recognised and entrenched in the past, their involvement in activities rather than their traditional roles, especially in the economic processes of the Nigerian State, are such that they have remained very influential in the affairs of the State both at the National and Local levels.[38]

We cannot fully understand the role of traditional rulers in local government in Nigeria without briefly reviewing their evolution from precolonial times to the contemporary situation.

2.2 PRE-COLONIAL ERA

While examining the pre-colonial antecedent, Dunmoye observed that "the functions of traditional ruler can be categorised as religious, legislative and judicial".[39] The religious cum-spiritual function was the most important because it is linked with the belief that traditional rulers possessed the ability to control or call upon divine or supernatural forces.[40] The traditional ruler was either regarded as divine or as the chief priest of one of the major deities in his area. He performs

duties like the fixing dates for various festivals, and leading his subjects during such festival.

In the Northern part of the country, the Jihad led by Othman Dan Fodio had the primary aim of establishing Islamic rule over what was then known as the Caliphate. Those who replaced the Habe rulers were Fulani/Islamic/ Religious/ Spiritual leaders of the Emirates before anything else.[41] The Emirs head a pyramid with district and village heads under them, and the Emirates formed the basic units of local Administration in the North until the Local Government Reforms of 1976. The Jihad therefore, "brought socio-political uniformity to an expansive area which was based on ethno-religious coherence. This religious sentiments were transformed into political appellations and also helped in maintaining the supremacy of traditional rulers".[42]

The views put forward by Dunmoye are further substantiated by positions of Bitiyong who saw the "root of the centrality of traditional rulers in process of governance in Nigeria as lying in their precolonial origin".[43] The traditional rulers were the embodiments and custodians of traditions of their community, and while they might have distributed power to other subordinate office holders yet they remained the sole authority.

2.3 THE COLONIAL ANTECEDENT

During the colonial period, traditional rulers became agents of colonialists. According to Palmer;

> Psychologists may theorize as to how a man can know that he was put in as a nominee by foreigners and yet believe that he owes his appointment to divine and hereditary reasons, but there is the fact, and it is true not only of Serikin Kano but the vast bulk of Fulani Serikis.[44]

Palmer has demonstrated that whatever claim to legitimacy the majority of "traditional rulers might have as outgrowths of peoples culture, the British disrupted it forcefully by the imposition of individuals who were sympathetic to their colonial interests.

According to Bitiyong, "the maintenance of law and order was the first priority and then they launched their primary objective which was based on their capitalist economic logic".[45] The introduction of money economy, cash crop production in different parts of the country, the imposition of taxation and forced labour could not have been possible without the cooperation of traditional rulers and their institutions. This single objective very much determined who becomes a traditional ruler under colonialism. Crowther captured this point vividly when he explained that "whether these candidates had fulfilled all the traditional pre-requisites for assumption of office, which could have allowed them to rule in precolonial times, their right to rule depended on the colonial authorities".[46] The more these traditional rulers were made to serve the capitalist economic logic, the more they drifted from their traditional roles as "custodians and upholders of values of their societies from which they had emanated".[47] These institutions went through changes which were all deliberately intended to serve the colonial economic objectives. In their reforms of the institutions vis-a-vis the rural communities, the colonialists introduced the Native

Authority system but made the traditional rulers the sole native authorities. By this, they were given the powers over the Native Authority Police, the Native Courts, Tax Collection and the launching cash crop production programmes. The traditional rulers embraced these changes because through them their powers were enhanced. According to Furnival, by making the emirs "sole Native Authorities in the hey days of native British cooperation" the indirect rule system came to depend on:

> The position of the traditional rulers... (who) could be expected to support that political and administrative arrangement which both maximized their source of power in the changed circumstances of an alien-rule and at the same time maintained as much as possible of their traditional authority.[48]

The negative use of traditional rulers and their institutions in exploiting the rural communities in the North has made the few educated elites to call for some reforms of the system.[49] But as constitutional talks aimed at final withdrawal of the colonialists got underway, the traditional rulers pushed for such provisions that would not threaten their entrenched positions in the governance of their communities. As Lt. Governor, B.S. Smith explains:

> When the time came for me to induce the chiefs to accept drastic change in their administrations, even the most radical of the political leaders consistently emphasised that only in the last resort should there be any interference with the persons or personal status of individual traditional leaders. Even in instances where there had been a gross betrayal of trust and the popular will demanded a change, the spiritual significance of the chiefly office, must at all times be kept in minds.[50]

2.4 THE PERIOD OF PARTY POLITICS

After the second World War, it became an open fact that the Native Authorities were not keeping pace with even the institutions of participatory democracy that were being developed at both regional and federal levels. As A.P. Sorkaa argued: the incessant attack, by the few educated elite including Tafawa Balewa who later became the Prime Minister of Nigeria and others led to the promulgation of the 1950 Local Government Law of Eastern Nigeria, the 1952 Local Government Law of Western Nigeria, and the 1954 Local Government Law of Northern Nigeria.[51] But the Local Government Law of Northern Nigeria especially, just made a few incremental changes in the autocratic system of Native Authority.[52] Even though the period of independence offered a big opportunity for the political leaders to effect changes towards democratisation of the Native authority system, their positions and status especially in the North was left intact. Beyond that, the independence constitution had provided for a house of chiefs in every region and chiefs were also to be represented in regional executive councils. The leading political parties especially the Northern Peoples Congress (NPC) relied so much on the inherited traditional institutions and social networks to mobilise support. The politician so much depended on the traditional institutions to win elections that they began to clamour for traditional titles to enhance their political positions.[53] The entrenchment of these rulers in the post-colonial Nigeria meant that the interests of these rulers now merged with those of the politicians. Bitiyong summed up the

discussion on the traditional rulers and local government during the period of party

politics thus:

> Given the nature of the politics of the First Republic which manifested extensive regionalism, massive corruption, election rigging, the traditional rulers turned the institutions in their custody like the Native Courts, and the Native Authority Police, in the service of the political programmes of the regional government.[54]

2.5 MILITARY RULE AND TRADITIONAL RULERSHIP IN NIGERIA

When the military came into the political scene in 1966, the traditional rulers did not move to the centre stage although they were not thrown overboard as did the politicians. Infact, the initial move of the government was to court their friendship and cooperation. But it was the 1976 Local Government Reform exercise initiated by the military at the federal level that for the first time, had far reaching effects on the role of traditional institutions in local governance. The states still created and controlled local governments but the federal government came in for the first time because it could not continue to be insensitive to the problems confronting local governments. Wide consultations were made before the reforms were introduced especially with the traditional rulers.

The preparation of the reform began in late 1975 through the establishment of a small coordinative committee in the cabinet office of the Federal Government. Zonal meetings were held to prepare papers on the definition and functions of Local Government, its financing, the role of traditional authorities within any proposed Local Government structure, and staffing arrangements. Afterwards the Supreme Military Council met jointly with the National Council of State. In July 1976, a

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'National Conference of Traditional Rulers' attended by all the most senior Emirs, obas and chiefs was also held. The Foreword to the Guidelines, in a somewhat ambivalent fashion, stressed that:

> The Federal Military Government does not intend to impose any solutions or indeed any structure on the country at the local government level. It accepts the principle that local government is primarily the responsibility of state governments. It merely wishes to emphasise that these responsibilities should be clearly defined and that the local governments should have adequate financial resources to meet their obligations which are mainly to stimulate development at the grassroots. Nothing in these reforms could be construed to mean an attempt at reducing or abolishing the traditional functions of our Emirs, Obas and Chiefs. On the contrary the reforms recognises the crucial nature of the position of the traditional authorities and care has been taken to preserve the organic unity of our traditional institutions and societies.[55]

The manner chosen to preserve traditional authority especially in the Northern part of the country is complex. The proposal differed from all preceding reforms, at least in the Northern part of the country, in two fundamental respects. Firstly, the term local government was itself clearly defined in such a way as to make it a third tier of government and to emphasise the principles of representativeness, participation, devolution and autonomy. Secondly, the new local government authorities were to serve a population of between 150,000 and 600,000 (subsequently raised to 800,000).[56] These two elements carried far-reaching implications for most of the Northern States. It meant that Emirs and chiefs could no longer administer their areas as sole authorities, neither could they determine the membership of the

councils since the majority of the members were to be elected by a democratic process. Far more serious, the emirates in the North could be broken up, since each had a population, even on the basis of the 1963 Census figures well beyond the upper limit. This could obviously pose a threat to any organic unity and in turn undermine if not completely eliminate the institutional and symbolic basis of the emirate, as epitomised in the person and position of the emir and district heads.

In view of this radical departure from the pre-existing practice, the suggested framework was discussed at a conference of emirs and chiefs of the northern states, held in Kaduna 25th-26th June, 1976. The conference expressed qualified support, observing that the proposals were appropriate for the differing needs and circumstances of the various parts of this diverse country provided that:

i. the choice of the right alternative in structural pattern is made in the case of each Local Government Authority;

ii. certain improvements and modifications are made in different parts of the Guidelines.[57]

A careful analysis of the final Guideline, as adopted by the Federal Government shows the extent to which the government was prepared to go to meet the wishes of the traditional rulers and in alleviating some of their fears and anxieties. Emirate councils were accorded virtually all the additional functions requested by the conference. The Federal Guidelines for the new system of local government were introduced with the aim of:

a) making appropriate services and development activities responsive to local wishes and initiatives by devolving or delegating them to local representative bodies;

b) facilitate the exercise of democratic self-government close to the local levels of our societies and to encourage initiative and leadership potential;

c) mobilise human and material resources through the involvement of the members of the public in their local development;

d) provide a two-way channel of communication between local communities and government - state and federal.[58]

If the aims and functions of the new reforms had been successfully implemented, Nigeria would have had a democratic system of local government for the development of the rural areas.[59] One of the key problems that has militated against the realization of the laudable objectives encapsulated within the reform package was the role of the traditional rulers within the new dispensation. Looking at the 1976 Local Government Reforms, the government only made passing remarks on the rulers by stating the need for the "organic unity of traditional institutions and society". Though the rulers could be members of the Local Government Councils, final powers however, were reposed in the state governors.

Perhaps, it is this erosion of the powers of these traditional rulers in the military era that got them determined to have more say in the political processes of the Second Republic. In the 1979 Constitution, provisions were made for the traditional rulers. Section 3 part I provided for a State Council of Chiefs whose function was to advice the State Governor on "matters relating to customary law or cultural affairs, inter-communal relations and chieftaincy matters". Also in section 1 part I the State Council of Chiefs is to be represented in the Council of State. While

these have been attempts to return the ost glory of traditional rulers into the Nigerian politics this does not seem to have been too far reaching.[60] The Oba of Benin laments this situation when he asserts that "it can be said without any fear of contradiction that since independence, traditional rulers no longer have any roles whatever to play in local government, except what the community's customs and traditions enjoins them to do".[61]

Bitiyong stressed that: "to stop our analysis at the level of search for powers of traditional rulers in official documents of government would miss their extensive roles in the economic activities of the rural communities.[62] Apart from the political significance of the traditional rulers in the evolution of the Nigerian State, these rulers have been very much involved in the accumulation process of the Nigerian state. The neocolonial thesis of the post-colonial state was used to situate the rulers amongst the comprador dominant class through which the colonialists skimmed off surplus of the rural peasantry. By the oil boom era, this process deepened, as Bitiyong argued elsewhere; if the traditional rulers were denied direct involvement in government, they however have access to those in government".[63] This conclusion was further supported by Dunmoye when he pointed out that the "members of the traditional rulers had realised that the centre of political power and by implication, the means of capitalist accumulation rested on the state.

As Poulantzas explains"

> Institutions considered from the point of view of power, can be related only to social classes which hold power. As it is exercised this power of the social classes is organised in specific institutions which are power centres in this context the state is the centre of exercise of political power.[64]

2.6 THEORETICAL FRAMEWORK

From the literature reviewed so far, it is clear that any attempt at understanding the role of traditional rulers in local government cannot stop at the level of search for powers of the rulers in official documents of government. But instead, it must proceed to examine their roles in the economic activities of the state. Political significance aside, these rulers have been very much involved in the accumulation process of the Nigerian State. This study would be conducted on the basis of the theory of the state and power in a post colonial society. Our arguments would be

premised on the historical specificity of post-colonial societies, a specificity which arises from structural changes brought about the super-structures of political and administrative institutions which were established in that context, and secondly from radical re-alignments of class forces which have been brought about in the post colonial situation.[65]

The state according to Crowford, must be understood as existing on two levels; concrete and theoretical. The former refers to the matrix of institutions through which rule is exercised - they include branches of governance, - Executive, Legislative and Judicial. To these are added other paraphernalia like the local government, political parties, parastatals, etc.

However, less apparent is the state as a theoretical abstraction, this refers to the state as expressed in the realm of ideology. This aspect is central to our study of traditional rulers and local government because it is through the hegemonic dominance that the control of the concrete manifestations of the state becomes

possible.

According to Ralph Miliband, the primary Marxist view of the state finds it most explicit expression in the famous aphorism of the communist manifesto; "the executive of a modern state is but a committee for managing the common affairs of the bourgeoisie", and political power is "merely the organised power of one class for oppressing another".[66] Miliband regards this as the classical Marxist view on the subject of the state, but for Marx himself, it only constitutes the primary view of the state; for there is to be found another view of the state in his work. This secondary view is that of the state as independent and superior to all social classes, as being the dominant social force in society rather than an instrument of the dominant class. The state therefore "embodies the contradictions of ruling, it is simultaneously an agent of the dominant class yet not controlled by the class".39 In Miliband's words:

> While the state does act on behalf of the ruling class, it does not for the most part act at its behest. Secondly, the state is simultaneously both an expression of class exploitation and domination, and some thing more than a simple expression... These two aspects constitute an intrinsic unity... but the forces of execution may also enter into contradiction with relations of domination in the state apparatus. That is domination may be distorted by its manner of organization. Thirdly, states are a fabric of ordered tension between a variety of competing forms of authority, each with different myths of legitimacy and principles of allegiance. Lastly, the state is both within and above society and, as such, serves both the specific interests of the dominant class and the general interest of society.[67]

In a post-colonial society, the problem of relationship between the state and

the underlying economic structures is very complex. The specific nature of structural alignments created by the colonial relationship and re-alignments which have developed in post-colonial situation have rendered the relationship between the state and social classes more complex.

According to Gramsci:

> Hegemony denotes the ascendancy of a class, not only in the economic sphere, but through all social, political and ideological spheres and in ability to persuade other classes to see the world in terms favourable to its own ascendancy. In their respective quest for the hegemonic control of the state, the two fractions of the governing class use different tools.[68]

While the political leaders used the state apparatus and its coercive might to advance its views, the traditional leaders, use the more irrational but sentimental instruments of religion and culture.[69] However, both also perfect the act of co-optation as a means of neutralising the power of one another.

It is within this framework that we intend to carry out our study of the traditional rulers and local government in Nigeria.

FOOTNOTES

1. R.F. Ola. Local Administration in Nigeria. London, 1984, p. 92.

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3. Ibid. p. 344.

4. B.S. Bitiyong, "The Role of Traditional Institutions in Nigeria's National Political Development'. In S.O. Olugbemi (ed.) Alternative Political Futures for Nigeria.NPSA, 1987, p. 358.

5. C.S. Whitaker, Politics of Traditional Continuity and Change in Nigeria: 1946-1966. New Jersey, Princeton University, 1970, p. 302.

6. B.S. Bitiyong, op. cit. p. 358.

7. Ibid, p. 359-360

8. Major Hassan Usman Katsina, National Broadcast on 24th May, 1966. See New Nigeria, 2nd June, 1966.

9. Major Hassan Usman Katsina. National Broadcast of May 26th, 1966. See New Nigerian, Thursday 2nd June, 1966.

10. Ibid

11. B.S. Bitiyong, op. cit. p. 361.

12. R.F. Ola op. cit. p. 92

13. Ibid, p. 93.

14. Ebonyi, Ozor, Local Government or Local Administration: Which Way Nigeria. In S.O. Olugbemi (ed). Alternative Political Future for Nigeria. NPSA, 1987, p. 331.

15. The Guardian, Lagos, July 27, 1985, p. 1-2

16. Ebonyi Ozor, op. cit. p. 311.

17. S.O. Okafor. 'Traditional Authorities and Local Government in Nigeria" in S.O. Olugbemi (ed.) Alternative Political Futures for Nigeria. NPSA, 1987, p. 346.

18. Ibid

19. Ibid

20. J.B. Adewumi and J.O. Egwurube. The Role of Traditional Rulers in Historical Perspective. In O. Aborisade (ed.) Local Government and the Traditional Rulers in Nigeria. University of Ife Press, Ile-Ife, 1985, p. 21.

21. V. Ayeni. Traditional Rulers in Period of Transition, In O. Aborisade, Ibid, pp. xx-xiv.

22. Guidelines on 1976 Local Government Reforms, p. 1

23. C.E. Emezi, "Nigerian Local Government in Historical Perspective" In Okoli E. (ed). National Conference on the New Local Government System in Nigeria. (Unpublished). University of Nigeria, Nsukka, 1980, p. 35.

24. See Government White Paper on the Recommendations of the Dasuki Committee.

25. These trends were observed during the political debate sponsored by the Political Bureau in 1985.

26. J.B. Adewumi and J.O. Egwurube, op. cit. p. 32.

27. Ibid, p. 32.

28. Ibid, p. 33

29. M. Crowther and O. Ikime (eds.) West African Chiefs: Their Changing Status Under Colonial Rules and Independence. Ile-Ife, University of Ife Press, 1970.

30. See O. Aborisade, (ed.) Local Government and Traditional Rulers in Nigeria, Ile Ife, 1985.

31. Ibid, p. xxxi

32. A.P. Sorkaa, The Contributions of Traditional Rulers to Rural Development in Nigeria up to the 21st Century. Mimeo, p. 5

33. Y.B. Usman, "History, Tradition and Reaction: The Perception of Nigerian History in the 19th and 20th Centuries". A.B.U. Public Lecture, 27th April, 1977, p. 9.

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35. Bitiyong, B.S. Local Ruling Structures and Basic Needs Approach in Nigeria", Ahmadu Bello University, Zaria, 1987, p. 7.

36. Ibid.

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40. See Omon'Oba N'edo, Erediauea, Oba of Benin, Traditional Rulership in Nigeria, in O. Aborishade, op. cit.

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44. Palmer, H.R. British Colonial Report, Katsina, 3rd October, 1907, in O. Oculi, Traditional Rulers as Agents of Under-development, Zaria 1987, p. 1

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48. J.S. Furnival (ed.) Colonial Policy and Practice, in Bitiyong, op. cit. p. 10.

49. See Daily Comet, June 1st 1`950 and Balewa Motion in the House of Assembly 9th August, 1950.

50. B.S. Smith. "But Always as Friends". Northern Nigeria and Camerouns 1921-1969, p. 242, in Bitiyong op. cit. p. 11.

51. Sorkaa, A.P. op. cit. p. 11

52. Whitaker, C.S. The Politics of Tradition, Continuity and Change in Northern Nigeria: 1946-1960, 1970.

53. Sorkaa, A.P. op. cit.

54. See Major Hassan Usman Katsina. Address to Northern Chiefs on 16th June, 1966.

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56. Ibid, p. 3

57. Keith Panter-Brick (ed.) Soldiers and Oil, The Political Transformation of Nigeria. Frank Cass, London, 1978, p. 286.

58. Guidelines op. cit. p. 1.

59. See Sorkaa A.P. "Democratic Values and Limitations of Local Government Reforms" In L. Oyevbaire. Democratic Experiment in Nigeria. Interpretive Essays. Koda Ltd., Benin City, pp. 173-206

60. Bitiyong, B.S. op. cit. p. 13

61. See Omo N'Oba, op. cit. p. xix

62. Op. cit.

63. Bitiyong, op. cit.

64. NICOS Poulantzas, Political Power and Social Classes. London, 1978, p. 115

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CHAPTER THREE

3.1 TRADITIONAL RULERS AND LOCAL GOVERNMENT IN BAUCHI

A close examination of the political systems of the various communities of the Bauchi area before the 19th Century will show that the communities had not evolved any strong or stable form of central organisation.[1] They lived in small self-contained villages based on family or clan ties. Under this type of set up, the heads of the families and clans were the political authorities and sometimes also religious/ritual leaders. They day to day affairs of such of the communities were carried out by the members of individual settlements according to defined functions. Among each of the ethnic groups, the highest political authorities were the councils of clan heads. These councils meet occasionally to discuss matters of common interest. And this arrangement was largely maintained until the Jihad campaigns of the 19th century.

After the Jihad and the establishment of Islamic Government, it was clear that the foundation of authority in the country-side was not territorial but clan-based. It was therefore difficult to talk of local governments (as the term was applied during the colonial period and beyond). In pre-colonial - Bauchi, towns and villages were attached to title officials (most of who reside in the emirate capital) and were not in reality part of a system of administering the area but a system of paying the officials assuring revenue or income to them from particular communities. Actual act of local governance was performed by the

leaders (mostly clan-heads of the various localities).[2]

In Bauchi, as was the case in all other emirates of the Sokoto Caliphate, local governance was carried out in line with the theory of organisation, structure and form of state system established in the wake of the Jihad. This persisted if in some modified form, up to the British occupation and beyond. The leaders in Bauchi, like other Jihad leaders, were clear about the kind of government and society they hoped to create and maintain. As A.Y. Abubakar argued elsewhere,[3] the central pivot of any ideal Islamic Government is the Imam (or caliph) whose appointment is compulsory upon Muslims and who would assume general leadership in the affairs of the religion and the world on behalf of the prophet. It is compulsory for every Muslim to obey the caliph both outwardly and inwardly in all he commands provided his commands did not contravene the laws of God. The functions of the caliph include: defence and expansion of dar al-Islam (the above of Islam) the prosecution of Jihad, maintenance of peace and stability, establishment of justice and equity and the general observance of all muslim percepts as enjoined in the Qur'an and the Sunna and interpreted by the jurist of the Maliki.[4] It is this law of the Maliki School of Orthodoxy which should constitute the basis of the Muslim community within the caliphate, the sources of its legitimacy and governing principles for regulating all aspects of life. To ensure a proper observance of Sharia therefore, the Caliph must appoint loyal and capable people to offices of state and maintain proper supervision of the activities.

To meet the operational requirements of the caliphate system of government and administration, the Jihadists recommended the creation of numerous offices. The conditions of service, and the ethics of this civil and military bureaucracy are also well spelt

out. Honesty, justice, faith, ability and knowledge of the duties and responsibilities of the particular office for which a candidate is being considered should constitute the main criteria for appointment and the basis for continued service in the bureaucracy. To ensure that men of the right calibre are appointed, the sovereign should seek information about their character, and count their wealth before appointment. The principles of accountability is also enshrined in the regulations governing the conditions of service in state office. In whoever defects appear, the caliph reprimands him, whoever does injustice, he deposes him. Against whoever comes repeated complaints he transfers him. Whoever is found to have wealth more than what he earns from his work he will take it and put it in the treasury. If he is in doubt about the wealth he takes half of it from him.

The office of the emir is of several grades, the distribution between whether or not the office is invested with the powers and responsibilities over all affairs of the province including legal administration and tax collection. Emirs of the first grade are appointed by the caliph who delegates to them all powers necessary to govern the provinces in accordance with Sharia and subject to caliphal supervision. As autonomous rulers, the emirs should be responsible for the appointment of their own officials, and for the establishment of their own structures of government on the model of the caliphal headquarters.[5]

While such emirs would have general charge over all affairs within their boundaries, the emirs of other grades carry specific duties such as command of the army, the command of pilgrimage and so on and are denied of exercise of judicial powers. Before the Jihad of 19th century, as we earlier stated, the Bauchi region contained multitude of

social and political communities of varying size and composition. With the conquest of the greater part of the region by the Jihadist, they were faced with a greater problem of establishing a machinery of government which was capable of knitting together all communities under its authority. in doing this, the Jihad leaders had to deal with three major problems: the first centres around the establishment of effective political authority over communities which deferred widely in nature of their political and social organisation. Secondly, the problem of maintaining power and control over hill peoples; thirdly, they had problems of protection and defence against internal revolts and external attacks; and finally problem of establishing Islamic government in a region which was predominantly pagan in population.[6]

As answers to these problems, the Jihad leaders allowed the actual administration of the communities in the country-side to rest on the various local authorities. In practice, the emirate title officials were not the administrators of various communities attached to them for revenue purposes. To a large extent, this pre-Jihad bases of authority - heads of families, clans and kin-groups remained substantially intact in the 19th century even where conversion to Islam of communities and their leaders took place. Infact, with conversion, the authority of leaders was further enhanced. This system of local administration remained in place until the submission of Bauchi to the British in 1902.

3.2 CHANGING PATTERNS OF LOCAL AUTHORITY UNDER THE COLONIAL PERIOD IN BAUCHI

After the subjugation of the capitals of the emirates of Sokoto Caliphate, the British, even while the pacification of the villages and towns in the emirates was still going on, began to establish their administrative control over the former caliphate area.

The first major step taken by the British colonisers was the grouping of emirates into a number of provinces. Even though some of these provinces did not fall under the caliphate, they were collectively known as the Northern provinces.

Secondly, each of the provinces was broken into Divisions, and Headquarters of the Emirates within each Division became the Headquarters of the Divisions. Thirdly, the various Divisions were, for effective administrative control, broken into homologous Districts. However, during the first two decades of colonial rule, the British created in most of the emirates what they referred to as sub-Districts with the aim, principally of phasing out numerous title holders. By the 1920s most of the sub-Districts were phased out and what remained were called main Districts.

Lastly, in each main District, there were villages that were grouped together. Each village was regarded as an administrative unit and had a village head, each village or town was divided into smaller administrative units called wards.[7]

The British were first and foremost the ultimate authority and they gave the titles of various officials who were in charge of these levels of government as follows: at regional level the British instituted the office of a High Commissioner later known as Lt. Governor. The Sultan (formerly Amir al-mumini or caliph) of Sokoto who in the 19th century had been

the overall authority for the whole of the caliphate was reduced to the position of an emir, even though the British still nominally regarded him as the highest indigenous authority within the Indirect Rule System.

At provincial level, the colonial government, instituted the office of a resident, while the first class emir (so termed by the British) in a given province was regarded by the British as the highest indigenous authority. At the Divisional level, within each province, the British placed a District Officer, (DO) while an emir of an emirate within a division was the highest indigenous authority. It is important to note that as far as the British colonialist were concerned, the Divisional level was the lowest level of posting for colonial political or administrative officials. The remaining levels had indigenous authorities as officers. Thus in most Districts that the British created forming Divisions, they appointed District heads. They in turn had village and ward heads under them.

Turning to the local government, the British while establishing their own type of local government from 1902 onwards, undertook the following steps.

Firstly, they created homologous districts by merging together all the villages within a particular area to the same official. This official was called the District Head. Secondly, they appointed a single tax gathering authority (the District Head) in each given area thereby drastically reducing the levels in the tax gathering hierarchy. Thus, the British integrated tax collection with administration.[8]

In undertaking these measures, the British not only drastically reduced participants in the political system as compared to the pre-British period but also the number of participating units - ethnicities, families and clans.

3.3 DUTIES OF TRADITIONAL RULER

As far as the British were concerned, local government was set up first and foremost for the purposes of tax collection.[9]

Therefore, the main duties of the emir, district heads and their subordinates - the village and ward heads - was to collect taxes, though as we will indicate below they had other responsibilities as well.

3.3.1 Traditional Rulers and Tax Collection

As the local government re-organisation undertaken by the British was essentially to enable the colonial government to collect taxes, this means the pre-colonial taxes and the system of collecting them had to be re-organised. The British took over the complex system of tax assessment and collection in the emirates. In re-modelling the tax system, the colonial regime's basic aim was to keep the peasants on the land producing crops for sale, while the immediate aim was to provide revenue. To achieve this aim, the British enacted series of Native Revenue Ordinances.[10] The first step was the promulgation of the Northern Nigeria Land Revenue Ordinance of 1914 which required the emirs to pay over one-quarter of their revenue to the government. This was an interim measure since the British were yet to create Districts upon which to re-organise and introduce their tax system. In 1906, a further step was taken, a proclamation of that year authorised the resident to assess the taxability of people, to appoint District and Village heads who were to collect taxes and to punish evasion and extortion.

Subsequently, precolonial distribution system of taxes collected, was also re-

organised and by 1911 Native Treasuries had been established in the Emirates.

The system of tax collection evolved concurrently with the formation of Districts. The Resident or District Officer went round the District, accompanied by the head of each District, to study the productivity of a given community. He was accompanied by the representative of the emir who is generally referred to as *WAKILI*.

The District Officer then reports to the Resident, and thereafter, the communities were assessed on the basis of data collected. The amounts due for each community were then announced by the resident through the District Officer to the Local Authorities. To follow the principles of indirect rule, the emir was then instructed to announce the amount due in the presence of the District, village and ward heads, the officials on whom the actual collection rested.

3.3.2 Maintenance of Law and Order

The second most important role of traditional rulers was keeping the peace or maintenance of law and order. And it is probably this role that greatly helped the Northern Nigerian Government, during the colonial period to undertake this responsibility with very few Nigerian policemen.

The District heads were simply responsible for everything that went wrong in their Districts. And with the aid of their staff, the village and ward heads - they undertook this difficult task.

If there was a threat of serious trouble in any part of their Districts, the District heads went with their supporters to the areas concerned to assess the situation and immediately report to the higher authorities for further action if necessary. In carrying out this task, the

District Heads were sided by two arms of the colonial government at the local level; the Native Authority Court and the local police both established gradually with the adoption and later adaptation of pre-colonial judicial or ALKALI system; the security agents of the emir or title holders - the ***DOGARI***.

The colonial government granted the District heads some judicial powers to enable them later serve the British in tax collection, maintenance of law and order and recruitment of forced labour.

3.3.3 Recruitment of Forced Labour

Recruitment of forced labour (paid or unpaid) continued and became widely used during the second World War when labour was desperately needed at the Tin Mines in Jos. Forced labour was also used to get porters for the conveyance of equipment and provision during the war. The colonial government also resorted to the use of forced labour in the construction of railways and roads. Even though there were payments made to labourers who were forcefully recruited, such payments were frequently embezzled by the labour recruiters, which included District Heads.

3.3.4 Support of Colonial Government Projects/Propaganda

The colonial government relied greatly on the traditional rulers not only for the execution of its various projects in the rural areas, but also for dissemination of propaganda that made the projects acceptable to the rural communities.

In the areas of introduction and the spread of Western education for instance: Emirs and their District Heads were charged with the responsibilities of obtaining pupils for schools established; propagate the advantages of Western education, monitor pupils attendance records, supervision and maintenance of buildings, and welfare of teachers.

When we turn to the area of agriculture, emirs and district heads were agents through which colonial officials introduced new crops varieties - cotton and grounds. They were to encourage higher yields; and encourage farmers to grow the new varieties. Records exist to prove that village heads were removed where farmers in their areas were found not to pay sufficient attention to groundnut or cotton production.[11]

In addition to all the duties of traditional rulers discussed above, all Native Authority staff posted to the various Districts during the colonial period were placed under the charge of the District heads. Such staff included, among others, the ALKALI and other court officials, the Native Authority Police; Medical and Veterinary staff; Education staff; Agricultural Extension and Forestry staff. The Native Authority staff did not pass information about the work of their departments to the rural communities directly. Rather, they channeled such information through the District heads. The District Heads were fully informed about the various happenings within their areas of jurisdiction.

3.4 THE POST-INDEPENDENCE ERA

During British rule, as far as the colonial government was concerned, the emirs and district heads in Bauchi, like their counterparts in other parts of Northern Nigeria, had only one officially recognised source of income - a fixed salary. The amounts they received is

not directly tied to the tax collected from their areas of jurisdiction. The colonial government barred the traditional rulers from officially or openly engaging in trading or business activities.[12] They were expected to live on their salaries; they were not however, barred from farming or keeping cattle - which most of them did - frequently on a rather large scale. Yet the colonial government allowed, and even encouraged the District Heads to play the role of local potentates. The British were happy to encourage this because it bolstered the image of the office of the traditional rulers. It also increased the prestige of the indirect rule system. They lived in large compounds (built and maintained by the Native Authority through forced labour) than most people in their domains. They supported large number of dependents and families. This created a wide gap between the income of traditional rulers and their social responsibilities. Through this, the British exercised control over the institution.[13]

After independence in 1960, incomes of traditional rulers in Bauchi varied as a result of the introduction of new criteria for payment of all emirs and District heads in Northern Nigeria. Salaries were based on the number of tax payers in their domains but their roles largely remained unchanged. With the changes introduced by the 1976 Local Government Reforms, some of the most important duties of emirs and their district heads were reduced. The federal government abolished the payment of Jangali throughout the federation. During the second Republic, (October 1979 to December, 1983) the payment of Haraji was abolished in stages. The first to do that were the PRP States of Kaduna and Kano then later the federal government nation-wide. The 1976 Reforms reduced the traditional rulers to mere traditional functions. They no longer collect Haraji and Jangali, nor were they

responsible for the maintenance of law and order.[14]

With the military take-over of 31st December, 1983, some States, namely Benue and Plateau re-introduced Haraji and Jangali by January 1984 but Bauchi State did not do so.

From the various functions performed by the emirs and their District Heads, it is correct to conclude that the traditional rulers performed most of the duties of the Native Authorities in Northern Nigeria. They were regarded as the local potentates and they acted as such. However, their official sources of income could hardly permit them to play the roles of local potentates, but their unofficial incomes helped greatly in meeting most of their societal obligations. It seems that the most important economic base of the traditional rulers was from the unofficial sources of income.

With the introduction of political party activities, some of their unofficial sources of incomes and services came under opposition party attack in the North (the NEPU).

The 1976 Local Government Reforms removed the unofficial sources of income of traditional rulers in the North including most of their powers and influences. Such were rested on various arms of the Federal, State and Local Governments. By 1970s, traditional rulers were left with only the influence pertaining to their tradition, custom and religion. They lost all other sources of income except their salaries and revenue derived from farming. Under such circumstances, the position of traditional rulers came to be taken over by retired bureaucrats who are already successful or involved in all sorts of businesses.

FOOTNOTES

1. Horton R. "Stateless Societies in the History of West Africa". In Ajayi, J.F. and Crowther, M. (eds.) History of West Africa, Vol. 1. Second Edition, Longman, 1991, Chapter 3.

2. For detailed Study of government in Pre-colonial Bauchi. See A.Y. Abubakar. Establishment and Development of Emirate Government in Bauchi 1805-1903. Ph.D thesis, A.B.U. 1974, and I.A. Abba. Changing Patterns of Local Authority and Evolution of the District Head System in Gombe Emirate 1804-1960. Ph.D. thesis, BUK, 1985.
Chapter 5.

3. Muhammed Bello, al-Qawl al-Mauhub and al-Ghaith al-Shu'bub, these were specific manuscripts written to guide Yakubu in the Establishment of the Emirate Government in Bauchi, See A.Y., Abubakar, Ibid, p. 407-408.

4. For the discussion of the theory of government in the Sokoto Caliphate. See Mahmud Tukur, Philosophy, Goals and Institutions of the Sokoto Caliphal Administration. Nigerian Administration Research Project. First Interim Report, Zaria, 1972, pp. 15-43.

5. For detailed discussion on the structure of Government in the Caliphal Headquarters, see Abdullahi B. Fodio, Diya 'al-hukkan, Zaria. 1956. Chapter two, Section 1, p. 11.

6. A.Y. Abubakar, op. cit. pp. 464-465.

7. I.A. Abba, op. cit. p. 227.

8. Ibid, p. 226

9. See Lugard, L. Political Memorandum. Frank Cass, 1970. pp. 166-87

10. Perham, M. Native Administratio in Nigeria. London, OUP, 1937, p. 52.

11. See I.A. Abba, op. cit. p. 369. Some village heads removed include the village heads of Ribadu (Hassan) Dukul (Hamma) Biri (UMaru), Magaba (Bauchi), and Tafidan Akko (Bappa).

12. Ibid, p. 382

13. Ibid p. 382

14. See Ademolakun, L. and Rowland, L. (eds.). The New Local Government System in Nigeria. Heinemann, 1976.

CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

4.1 INTRODUCTION

This study is concerned with the Relevance of Traditional Rulers to the Present-day Local Government Administration and Development Process in Bauchi State. The Problem for Investigation in the extent of hinderance Traditional Rulers constitute to grassroots administration and development due to their informal relationship with chief executives and negative influence on their policy-making process and actions. The main objective of the study is to create the factual basis for supporting or opposing the call by some commentators that traditional institutions be scrapped.

This thesis covers a period of ten years that is, 1976-1986. The geographical coverage is composed of:

- three local governments from each of the three geo-political zones of the State, giving us a total of nine LGAs;
- the seven Emirates/Traditional Councils of the State;
- two communities (one urban and one rural) from each of the nine LGAs

Three sets of questionnaires were sent out to 210 respondents made of:

a) Traditional Rulers and Title holders

b) Local Government officials including past chairmen, councillors and Heads

of Departments who are direct involved in policy-making and implementation and are therefore in direct contact with traditional rulers.

c) Leaders of Development Associations and School Headmasters as representatives of their rural and urban communities.

Out of the 210 questionnaires administered, 182 were returned as shown in Table 4.1.1 below:

TABLE 4.1.1

DISTRIBUTION OF RESPONDENTS GEOGRAPHICALLY AND IN CATEGORIES

ZONES	CATEGORIES OF RESPONDENTS					TOTAL
	A	B	C	D	E	
Bauchi	7	3	23	18	12	63
Gombe	7	2	25	16	10	60
Katagum	6	3	25	15	10	59
TOTAL	20	8	73	49	32	182

KEY: A = Traditional rulers and title holders

B = Past Chairmen of Local Governments

C = Councillors

D = Heads of Departments in Local Governments

E = Community Representatives

These categories of respondents were selected on the basis of their positions and knowledge of issues involved in this study. The Local Governments were carefully

selected to reflect the diverse culture and different levels of socio-economic development of the state. In this way, we are fairly sure of representativeness of responses to questions and analysis that follows.

4.2 DATA PRESENTATION AND TESTING OF HYPOTHESES

Data generated from the 192 respondents are tabulated and analysed by means of percentages and simple arithmetic mean. The three sets of questionnaires cover the following issues.

1. Relationship between Traditional Rulers and Chief Executives of Local, State and Federal Governments.
2. Functions of both Local Government and Traditional Rulers as stipulated in the 1976 Reform and the 1979 Constitution of the Federal Republic of Nigeria.
3. Respect for traditional rulers by top functionaries of government and the poor masses.
4. Specific role played by traditional rulers in development efforts of local governments.
5. Informal influence of the Traditional Rulers on the local government functionaries in policy-making, budgeting, planning and project implementation.
6. Informal and underground influence of traditional rulers on the masses in exercising their voting rights and choice of their chairmen and councillors.

HYPOTHESIS ONE

The first hypothesis is that:

> The prominence or high respect given to traditional rulers (anywhere in Nigeria) is a function of convergence of economic and political interests between them and the elite group in governments.

Historical facts abound in volumes of literature to show that over the years, traditional rulers and the political elites from colonial times to date belong to the same ruling class pursuing the same economic goal (exploitation) of the masses through taxation, forced labour, cheap labour in factories and cheap prices of their farm produce). This may have reduced in intensity and in style but the ruling class in Nigeria still exploits the masses through other means with the assistance of traditional rulers. A few examples include seizure of land by traditional rulers from peasants to be sold to retired military officers and civil servants, membership of boards of Governors of government parastatals through which public funds are syphoned in the name of contract and diversion of farm inputs like fertilizers by traditional rulers in collaboration with top civil servants and local government chairmen. It is for these and other reasons that the elites must accord high respect to traditional rulers.

Table 4.2.1 below shows the response of our respondents to the question of relationship between traditional rulers and the elites in government. We asked our respondents to indicate the degree of cordiality in the relationship (formally and informally) between traditional rulers and chief executives of the Federal, State and Local Governments over the years.

TABLE 4.2.1

ASSESSMENT OF RELATIONSHIP BETWEEN TRADITIONAL RULERS AND CHIEF EXECUTIVES

CATEGORIES OF CHIEF EXECUTIVES	TYPES OF RELATIONSHIP BETWEEN THEM AND TRADITIONAL RULERS						TOTAL
	VERY CORDIAL		CORDIAL		NOT CORDIAL		
	Raw Fig.	%	Raw Fig.	%	Raw Fig.	%	
Local Government Chairmen	158	86	24	13	-	-	182
State Governors	56	31	126	69	-	-	182
Heads of State	101	56	81	44	-	-	182

n = 182

Table 4.2.1 above shows that the relationship between Traditional Rulers and Chief Executives at Local, State and Federal levels is either Very Cordial or Cordial. At local level, 158 respondents or 86% of 182 are of the opinion that the relationship between the two categories of rulers is very cordial while 24 or 13% of 182 say the relationship is Cordial. The opinion is almost the same for governors and Heads of State. Be that as it may, the next question should be why. A number of factors were suggested and our respondents were asked to pick the one that best suit the situation.

TABLE 4.2.2

FACTORS RESPONSIBLE FOR THE TYPE OF RELATIONSHIP BETWEEN TRADITIONAL RULERS AND CHIEF EXECUTIVES

FACTORS	RESPONSE						TOTAL
	STRONGLY AGREE		AGREE		DISAGREE		
	Fig.	%	Fig.	%	Fig.	%	
Well-being of the masses	132	73	38	21	12	6	182
Smooth running of administration	165	91	15	8	2	1	182
Selfish economic reasons	37	20	40	22	105	58	182
Political interest	120	66	30	16	32	18	182

N = 182

The picture shown in Table 4.2.2 is that traditional rulers are held in high esteem in Bauchi State as a result of three factors, namely, their concern for the well-being of the masses, smooth running of administration especially at local government level and political interest. To confirm these responses, we held discussions with representatives of the five categories of respondents. We asked them (4 chairmen of Local Governments, eleven councillors, 10 heads of Departments and 15 community representatives) what they meant by each of the factors they felt were responsible for the respect given to traditional rulers. According to the Chairmen and Councillors, traditional rulers assist in the smooth-running

of Local Government Administration through:

- Maintenance of peace and security in their domains;
- mobilisation of their subjects to pay their taxes, levies and to support government programmes through enlightenment campaigns;
- provision of vital data and information for policy making in the local government councils.

In the opinion of community leaders talked to, Emirs are still held in high esteem mostly because of their concern for the welfare and development of their areas. Typical examples they gave to support this claim include the role usually played by Emirs of Gombe and Katagum in the agitation of the people of the two Emirates for the creation of Gombe and Katagum States out of the present Bauchi State. The two Emirs are said to have played frontline role in the agitation for the new States which the leaders feel will bring about more development to the people of the areas. The two Emirs are known to have expressed strong support for the creation of the new States. The other example of the Emirs' concern for the welfare of their people is their strong appeal through memoranda, letters and personal visits to the State and Federal Chief Executives for assistance to curb the menace of soil erosion and desert encroachment in Gombe and Katagum Emirates respectively. The Federal and State Governments have responded to such appeals. The Emirs and others in the State are also known to have positively influenced the appointment of prominent sons and daughters of the State by the Federal Government into very important positions like Ministers, Ambassadors, Directors-General

and Managing Directors just to mention a few. Such highly placed officers also help other sons and daughters of the State into the federal service. These and other activities of traditional rulers endear them to their people no matter what scholars from outside the state may say about traditional institution.

These views expressed by our respondents and the picture shown by Table 4.2.2 go to nullify our first hypothesis that the respect accorded traditional rulers is a function of convergence of economic and political interests of the traditional rulers on one hand and those of elites in government on the other.

However, this is not to deny the fact that in a few places within Bauchi State, traditional rulers serve as fronts or agents of top military officers, civil servants and big time politicians to seize land to get contracts and to hoard fertilizer and petroleum products meant for the masses.

HYPOTHESIS TWO

The second hypothesis for this study is that:

> The role of local governments as agents of development is more effective under a democratic condition than under traditionalism.

It would be remembered that one of the principal aims of the 1976 Reform was to inculcate leadership qualities in people through Political Participation in the affairs of local governments and matters that affect their life. The practical expression of this objective

in 1976 was the holding of Local Government Elections in December, that year. The reform guideline was careful not to involve traditional rulers in the legislative and executive functions of local governments. Instead, they (the traditional rulers) would only provide advice whenever they are asked to do so by the Council. However, minutes of local government council meetings are supposed to be forwarded to the traditional rulers as Presidents of the Councils, whatever that means. Today, most traditional rulers, especially highly educated ones among them feel strongly and are agitating that they should be actively involved in legislative functions of local governments. Vocal commentators and close observers of the clandestine activities of traditional rulers are strongly opposed to such suggestion. They hold the view that democracy at grassroots level is the key to development, while traditionalism is anti-development in terms of:

- Participation in decision making and implementation
- Participation in choice of representatives to run the affairs of the local government
- Prudent management of resources
- Spreading government projects equitably to the right target groups in our communities

In this regard, we sought the views of our respondents on the extent they would accept participation of Traditional Rulers in the legislative functions of Local Governments. Table 4.2.3 below presents the response.

The question is: Would you accept that Traditional Rulers be actively involved in law making and policy formulation at local government level?

TABLE 4.2.3
PARTICIPATION OF TRADITIONAL RULERS IN MAKING AND POLICY FORMULATION

RESPONDENTS	YES		NO	
	FIG.	%	FIG.	%
Traditional rulers	20	11	-	-
Chairmen of Local Governments	-	-	8	4
Councillors	12	7	66	37
Heads of Departments	2	1	42	23
Leaders of Development Associations	8	4	14	8
School Headmasters	-		10	5
TOTAL	42	23	140	77

N = 182

It is clear from Table 4.2.3 above that local government functionaries and community representatives are opposed to the active involvement of Traditional Rulers in the legislative functions of Local Governments in the State.

The next question that follows immediately is why would our respondents reject the active participation of Traditional Rulers in the legislative functions of local governments? Answers to this question are presented in Table 4.2.4 below:

TABLE 4.2.4

REASONS FOR OPPOSITION TO ACTIVE PARTICIPATION OF TRADITIONAL RULERS IN LEGISLATIVE FUNCTIONS OF LOCAL GOVERNMENTS

FACTORS	RESPONSE						TOTAL
	STRONGLY AGREE		AGREE		DISAGREE		
	Fig.	%	Fig.	%	Fig.	%	
Inequity in distribution of amenities	157	86	21	12	4	2	182
Exploitation of the masses through heavy taxes	126	69	18	10	38	21	182
Mismanagement of scarce resources	96	53	15	8	71	39	182
Formulation of unimplementable laws and policies	139	76	28	15	15	9	182

N = 182

Answers to our question as to why traditional rulers should not be actively involved in the legislative functions of local governments in Bauchi State are presented in Table 4.2.4 above. These answers are the possible reaction of the generality of the masses who must have witnessed such occurrences over the years in many traditional societies of the Northern States where Emirs and Chiefs had very active part to play in policy and law

making at Local Government and Regional levels during the colonial and post-independence (First Republic) periods.

The ideals of democracy at grassroots level as envisaged in the 1976 Reform Guidelines have been very difficult to attain in Nigeria. Factors responsible for this state of affairs include:

- persistent intervention of the military in governance and politics of the nation;
- corrupt practices at the three levels of government as exposed by probe panels from time to time;
- inability of political elites to agree on the rule of the game which has always created the opportunity for the military to intervene.

These and other factors are indicators of intra-class conflict which creates the situation of underdevelopment economically and politically. Thus, our local governments have failed to prove their worth as the third tier of the federal structure meant to:

- provide services close to where people;
- inculcate and develop leadership qualities in people through their participation in governance
- involve people in their own development through self-help efforts and contribution of financial resources (taxation and levies);
- serve as a two-way channel of communication between the people and other tiers of government.

Data from secondary sources, that is, existing records in the sampled local governments shows that under democratic rule at grassroots level between January 1977

and October, 1979, local governments in Bauchi State performed creditably well in the areas of:

- provision and distribution of projects and amenities equitably to rural and urban areas of each local government area; each councillor struggled to attract projects to his/her constituency. This enabled some of the councillors to win election into the State and National Houses of Assembly in 1979;
- Management of financial and material resources by career local government staff who were closely supervised by councillors and chairmen;
- mobilisation of people in various communities to embark upon self help efforts. Bauchi state and some local governments were newly created that time. There was the zeal and keen competition among various communities in the State to excel each other in the provision of physical infrastructures. Between 1978 and 1983, prizes were given to the best three local governments in the areas of self-help efforts and other forms of development. Elected councillors and chairmen took active part in mobilising their people for such development activities. They also ensured that the State and Local Governments gave all the necessary financial, material and technical assistance to the communities making efforts to develop on their own. These results of democratic rule between January 1977 and October 1979 at local government level were in sharp contrast to the situation where traditional rulers in the past would:
  - concentrate most projects and amenities in the Emirate Headquarters

where they and their title holders resided;

- concentrate more on maintaining law and order than on developmental activities;
- aid and abet exploitation of the masses through seizure of their land and payment of unjustifiable taxes;
- embezzlement of part of the taxes collected.

These analyses and answers in Tables 4.2.3 and 4.2.4 to go to prove our second hypothesis that the role of local governments as agents of development is more effective under a democratic condition than under traditionalism.

These arguments take us to the third hypothesis which states that:

> In Bauchi State (as it is anywhere in Nigeria) Traditional Rulers are relevant only for regulatory and extractive functions of Local Governments.

It is on record that the primary functions of Traditional Rulers during the hey days of Indirect Rule were maintenance of law and order and collection of taxes for which they were very unpopular among their subjects. Colonialism was for exploitation of natural resources and human beings through many means. Peasant farmers must produce the raw materials needed for industries back home in Britain. These raw materials must be produced in large quantity to feed the industries. Thus, traditional rulers were to ensure that more than the specified quantity of raw materials was produced from their domain and that the price fixed by the buyers was accepted. Furthermore, money to run the Native

Authorities must be raised through taxes which traditional rulers must assess, collect and pay into the Native Authority Treasury. Provision of infrastructures like roads, dams, Native Authority offices, prisons, police stations and staff quarters was done largely through forced labour later called communal labour. In these and other activities that needed force, traditional rulers were actively involved. It is for this that they (traditional rulers) earned very poor reputation in many communities. And so some radical commentators keep agitating for the total abolition of the institution. To test our third hypothesis, we put a number of questions to our respondents. First, we asked: Can traditional rulers be actively involved in any executive/administrative functions of local governments? Answers to this questions are shown in the Table below:

TABLE 4.2.5

ACTIVE INVOLVEMENT OF TRADITIONAL RULERS IN LOCAL GOVERNMENT FUNCTIONS

FUNCTIONS	RESPONSE						TOTAL
	STRONGLY AGREE		AGREE		DISAGREE		
	Fig.	%	Fig.	%	Fig.	%	
Personnel management	8	4	15	8	159	88	182
Financial Management	10	5	17	9	155	85	182
Revenue Collection	38	21	42	23	102	56	182
Physical supervision of local government projects	29	16	18	10	135	74	182
Enforcement of bye-laws on control of some social and economic activities	27	15	43	24	112	62	182
Award of Contract	12	7	9	5	161	88	182
Preparation of Annual Budgets and Plans	3	2	26	14	153	84	182

N = 182

It is clear from the computation of answers given in Table 4.2.5 that people are not comfortable with the suggestion that traditional rulers be actively involved in the executive and administrative functions of local governments. We than went ahead to ask why. Reasons given are presented in Table 4.2.6 below.

TABLE 4.2.6

REASONS FOR DISAGREEING WITH THE SUGGESTION THAT TRADITIONAL RULERS BE ACTIVELY INVOLVED IN EXECUTIVE/ADMINISTRATIVE FUNCTIONS OF LOCAL GOVERNMENTS

REASONS	RESPONSE			TOTAL
	STRONGLY AGREE Fig. %	AGREE Fig. %	DISAGREE Fig. %	
Corruption	152 84	19 10	11 6	182
Lack of Skill	87 48	62 34	33 18	182
Inefficiency	97 53	35 19	50 27	182
Interference with modern management of resources	150 82	11 6	21 12	
Inequity and injustice	133 73	29 16	20 11	182

N = 182

The answers given in Table 4.2.6 above must be out of the benefit of hindsight and experience of the past which most respondents could still recollect or must have read about in reports, texts and other forms of literature. As a follow up to the last question, we asked "What specific functions must local government assigns to traditional rulers to make them relevant?" Answers given are presented in Table 4.2.7 below:

TABLE 4.2.7

SPECIFIC FUNCTIONS OF TRADITIONAL RULERS TO MAKE THEM MORE RELEVANT

FUNCTIONS SUGGESTED	RESPONSE						TOTAL
	STRONGLY AGREE		AGREE		DISAGREE		
	Fig.	%	Fig.	%	Fig.	%	
Settlement of interpersonal conflicts	160	88	20	11	2	1	182
Regulation of cultural festivals	149	82	12	7	21	11	182
Conferment of chieftaincy titles to deserving citizens	172	95	10	5	-	-	182
Allocation of land in rural areas for farming	39	21	92	51	51	28	182
Advertising Local Governments on plans and policies when the need arises	50	27	74	41	58	32	182

N = 182

It is clear from Table 4.2.7 that traditional rulers can be relevant only in their ceremonial and advisory role. This goes to nullify our third hypothesis that:

Traditional rulers are relevant to local governments only in their extractive

and regulatory functions.

People are quite apprehensive of the negative effects of active participation of traditional rulers in the main functions of local governments.

4.3 OBSERVATIONS AND FINDINGS

Based on the analysis of data presented in Tables 4.2.1 -4.2.7 it could be observed that:

1. Traditional rulers still command a high level of respect among the elites (the ruling class) and the masses not only because of economic and political interest but also for their advisory role. Literature and existing statistical records have shown that over the years, political elites (civilians and the Armed Forces) rely on Traditional Rulers for legitimacy as soon as they come to power. This is because of the formal and informal influence they (the Traditional Rulers) still have on the masses.
2. Inspite of the respect given to traditional rulers, people are not willing to accept their (traditional rulers) active participation in the legislative, executive and administrative functions of local governments. This is due to the negative role they were made to play during the hey days of colonialism, especially during the period of sole authority and indirect rule. Even at independence, between 1961-65 (the First Republic) traditional rulers still had a lot of powers and control over the Native Authorities as chief-in-

council. They also had some control over the masses in exercising their regulatory and extractive functions. Such functions like the use of the Native Authority Police, the Prisons and Customary Courts to punish criminals and civil offenders was taken over by the State Governments when the military took over power in 1966. It became obvious since then that the legislative and executive powers of the Royal fathers had been curtailed if not almost removed.

3. The issue of relevance is neither here nor there. Traditional rulers are relevant to modern local government administration to the extent that they give fatherly advice to the local governments when they are asked to do so, to the extent that they (traditional rulers) assist in mobilising public support for government programmes through enlightenment campaign and to the extent that they assist in maintaining peace through settlement of interpersonal and inter community conflicts.

4. Local governments are more effective and more responsive to people's demands under democratic conditions than under traditional rulership. We have seen from data available to us for this study that people's representatives were very active between January, 1977 and December, 1979 in attracting projects to their constituencies, in mobilising their people for self help efforts and in ensuring that they received technical, financial and material support from the local and state governments for community development programmes.

5. The failure of local governments in Bauchi State (as it is in other parts of Nigeria) to measure up to the expectation of the 1976 reform has been due largely to political instability, manifested by military intervention in politics and governance of the country, corrupt practices at all levels of the public service and the refusal of political elites to obey the rule of the game whenever any little opportunity was available to practice democracy. All these are indicators of intra-class struggle to control the resources of the Nigerian state. Once in a while, traditional rulers are invited to assist in pacifying their people on behalf of the ruling class when there is a threat to peace through people's agitation for government attention to their problems or demands. This is when they (traditional rulers) are most relevant.

CHAPTER FIVE

CONCLUSION

5.1 SUMMARY OF FINDINGS

This study is about the Role of Traditional Rulers in Modern Local Government in Nigeria with specific reference to Bauchi State. It covers a period of ten years, 1976-1986, a period that witnessed the most widely acclaimed Reform of Local Government nationwide in terms of structures, functions, powers and relevance to development at grassroots level. This period also witnessed the most decisive efforts of the military government to relieve traditional rulers of their legislative and administrative functions at local government level. This is saying that since 1976, traditional rulers are limited specifically to ceremonial and advisory role, a situation some of them do not feel happy with till date. If given the opportunity, they would like to bounce back to their pre-independence era of active participation in local government legislative and administrative functions.

The issue addressed in this study is the dilemma into which the political elite (whether civilian or military leadership in government) has thrown the masses of this country as to whether there is any meaningful or functional relationship between the much-talked about respect for traditional rulers and the reality on the ground which is the ceremonial role assigned to them since 1966, and codified by the 1976 local government

reform. In addressing this issue, we went through a number of literature for historical perspective and guidance, we carried out a social survey to test three hypotheses and analysed the data generated from nine out of the existing sixteen local governments of the State between 1976 and 1986 and all the seven Emirate/Traditional Councils of the three geo-political divisions of the State, namely: Bauchi, Gombe and Katagum divisions. The selection of the sixteen local and Katagum Divisions. The selection of the sixteen local governments for study is done in a way that would facilitate governments for study is done in a way that would facilitate representation of the cultural, linguistic and socio-economic diversities of the State. In the final analysis, our findings from literature review and social survey) are that:

1. The era preceding colonialism in Nigeria represented the golden age of traditional rulers in many communities of the country. At that time, they were both the religious and political leaders of their various societies. In some of the societies, traditional rulers were all in all irrespective of the checks and balances established to curtail excesses in the system.
2. The advent of colonialism put an end to the autonomy and almost absolute powers enjoyed by traditional rulers. During that time, they became subordinates and agents of colonial administrators for the realisation of colonial objective - the exploitation of the territory.
3. The consequences of the use to which traditional rulers were put include hatred and fear in the minds of their subjects rather than love and respect.

4. During the period of struggle for decolonisation and independence, traditional rulers became targets of attack as colonial stooges who must go along with their masters. It was not easy to throw away the birth water with the baby because of the collaboration between the outgoing colonial administrators and the heirs to the throne (the emerging political leaders) who had their roots in traditional rulership. The collaboration between the outgoing colonial administrators and the then political leaders was aimed at entrenching some colonial heritage that would enhance exploitation of the masses through specific legislative and administrative functions assigned to traditional rulers at local and regional levels, especially ion the northern part of Nigeria.

5. The coming of the military to the political scene of this country through coups and counter coups marked the beginning of the end for traditional rulership. The military rulers took over all legislative and executive powers of Native Authorities such as the powers over the Police, Courts and Prisons and transferred them to the State and Federal Governments. However, the military leaders in government still relied on traditional rulers for legitimacy and to pacify the masses on any issue of mishandling of affairs that look explosive or politically sensitive. Here comes the sing-song about respect for traditional rulership by the military even though we know the reverse is the reality.

6. The 1976 Local Government Reform was the real watershed and the last

blow that put traditional rulers in their proper place, that is ceremonial and advisory role only at local level in particular and at any other tier of the federal structure. This was codified in the Reform documents (Edicts and Government Circular) and subsequently in the 1979 Constitution of the Federal Republic of Nigeria.

7. Inspite of this dramatic change in the political fortune of traditional rulers over the years, the political elites (military and civilian) continue to sing the song of high esteem for the royal fathers. In practical terms, military Heads of State and Governors pay homage to traditional rulers with a lot of fanfare or celebrity and public confession that they (the chief executives) would not succeed in carrying out their constitutional responsibilities without the support of the royal fathers. And so, scholars and political commentators are asking: What is the nature of this support these Chief Executives are always talking about and how important is it in reality?

8. In Bauchi State, where three hypotheses have been tested in this study, respect for traditional rulers by local government functionaries and representatives of the masses is a function of the concern some royal fathers are seen to have demonstrated for the welfare and progress of their communities and assistance in the smooth-running of local governments. This concern is shown through some informal channels of communication and influence on state and federal government top officials whether military or civilian.

9. Inspite of such God-father role by the royal fathers, majority of our respondents have rejected the idea of allowing them (the royal fathers) to actively participate in any legislative and executive functions of local governments. This stand by our respondents is not unconnected with what they must have experienced, seen, heard and read about the past activities and perhaps present actions of traditional rulers.

10. It is the strong belief of our respondents that local government can serve better as an agent of development under democratic conditions than under traditionalism. This was shown by the performance of local governments in Bauchi State between January, 1977 and October, 1979 when Local Government Chairmen and councillors were elected nation-wide, following the 1976 Reform.

11. The failure of Local Governments to perform in terms of achieving the four goals of the 1976 Reform has been due largely to political instability nationwide, corrupt practices by top officials of the local governments as shown or revealed by panel reports in several places and the refusal of politicians to play politics according to the rules of the game. These factors have always created a conducive atmosphere for the military to either stage a combe-back or to remain in power. These factors have become a vicious circle of political underdevelopment in Nigeria which in turn has created the situation where Traditional Rulers still feel they have important role to play in the governance of this country.

12. Traditional rulers have not only acquired higher education but also possess visible means of livelihood. Infact, most of them were already basking in material affluence to enhance their position in relation to the established local government councils.

13. There exist, in Bauchi State, material poverty, high illiteracy rate and lack of class consciousness on part of the mass of the populace. This largely explains the sentimental attachment most people have to the traditional institution in the state.

5.2 IMPLICATIONS OF RESEARCH FINDINGS

The implications of our findings in this study are:

a) that traditional rulers are not likely going to assume direct control of state power either at the local, state or federal levels in the Third Republic as they did in the First Republic when some of them became Members of Native Authorities, Regional Legislative and Executive Councils;

b) that the governing class be they civilian or military will continue to encourage a symbiotic relationship between themselves and the traditional rulers not only at the local level but at all levels of government;

c) that traditional rulers are going to be more covert, discrete in their future political and economic roles in their communities. This however, does not mean a reduction in their roles and power at the local government level;

d) that this long standing alliance, and symbiotic relationship between traditional

rulers and the other fractions of the ruling class (civil or military) has obstructed, is obstructing and will continue to obstruct the process of democracy and mass participation at the local government level in Bauchi State. Despite the 1976 Local Government Reforms, this constitutes the greatest challenge, not only to the masses of Bauchi State but to all other progressive elements in Nigeria in the 1990s and beyond.

5.3 RECOMMENDATIONS

a) Traditional rulers should perform or serve as initiators in citizen mobilization and acceptance of local policies. They can initiate and organize community development projects, participate in organizing their subjects towards the implementation of social welfare programmes.

b) Traditional rulers should be made responsible for establishing cordial inter-communal relationship. Their functions should include dissemination of information coming from the Local Governments among their subjects and articulation of their community problems to the established local government structures.

c) Traditional rulers should perform their traditional ceremonial functions including the mobilization of their peoples towards local plan implementation in cooperation with relevant local governments.

d) Traditional rulers should be made to perform such other functions as may be delegated to them by the federal, state and the local governments.

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APPENDIX A

Department of Local Government Studies
Institute of Administration
Ahmadu Bello University
Zaria, Nigeria

30th May, 1993

Dear Respondent,

As part of my research work towards the award of a Master of Public Administration (Local Government) degree of Ahmadu Bello University, I am currently conducting a study on Traditional Rulers and Local Government in Nigeria: The Bauchi State Experience 1976-1986.

The purpose of the attached questionnaire is to enable me obtain some information about your perceived feelings on the role, relevance and future of traditional institutions as their role to local governments in Bauchi State. You will also be expected to comment freely on other issues like maintaining traditional rulers, and their place in society.

I want to strongly assure you that all data gathered will be used purely for purpose of this research and all information supplied by you will be treated as confidential.

Thank you for your usual cooperation

Yours faithfully

ADO AMIDU ANDELEY

1. What is your perception of traditional leadership?

   a) Divine ( )

   b) Demi-god ( )

   c) Partners of political/military leadership in socio-economic spheres ( )

   d) All of the above ( )

2. What is your level of support for the traditional institution?

   a) Strongly Support ( )

   b) Support ( )

   c) Oppose ( )

   d) Don't know ( )

3. What is your perceived role of traditional rulers?

   a) Religious leaders ( )

   b) Custodians of culture ( )

   c) Maintenance of law and order ( )

   d) Agents of government ( )

4. Should traditional rulers be abolished?

   a) Yes ( )

   b) No ( )

   c) No comment ( )

5. If government should stop the payment of salaries to traditional rulers, are you ready to contribute to their upkeep?

a) Ready ( )

b) Not ready ( )

c) No response ( )

6. What in your opinion is the position of traditional institutions in society?

a) Very relevant ( )

b) Relevant ( )

c) Not relevant ( )

d) Don't know ( )

7. Do you see any contradiction between the requirements of modern local government and the norms and values inherent in traditional authority?

a) Yes ( )

b) No ( )

c) Don't know ( )

8. How will you assess the relationship between traditional rulers and chief executives at federal, state and local levels?

a) Very cordial ( )

b) Cordial ( )

c) Not cordial ( )

9. What are the factors responsible for this type of relationship?

a) Very high ( )

b) High ( )

c) No respect ( )

10. Would you accept that traditional rulers be actively involved in law making and policy formulation at local government level?

    a) Yes ( )

    b) No ( )

    c) Don't know ( )

11. What are your reasons?

    ---

12. What specific functions will you want to assign to traditional rulers in local governments to make them more relevant?

    ---

13. In your own opinion, under what conditions do local governments best perform their development and service delivery functions?

    a) Under traditionalism ( )

    b) Under democratic rule ( )

    c) Under military dictatorship ( )

14 What are the reasons for your choice of your answer above?

---

15. In what spheres of local government functions do traditional rulers appear more relevant?

a) Formulation of policies ( )

b) Maintenance of law and order ( )

c) Tax Collection ( )

d) All the above ( )

TABLE 1.8.1

DISTRIBUTION OF RESPONDENTS ACCORDING TO LOCAL GOVERNMENTS AND EMIRATES

ZONES	LOCAL GOVERNMENTS	EMIRATES/ CHIEFDOMS	CATEGORIES OF RESPONDENTS						TOTAL
			A	B	C	D	E	F	
Katagum	1. Katagum	Katagum	3	1	10	6	2	2	24
	2. Misau	Misau	2	1	10	6	2	2	23
	3. Jama'are	Jama'are	2	1	10	6	2	2	23
Bauchi	1. Bauchi	Bauchi	7	1	10	6	2	2	28
	2. T/Balewa	Bauchi	-	1	10	6	2	2	21
	3. Alkaleri	Bauchi	-	1	10	6	2	2	21
Gombe	1. Gombe	Gombe	3	1	10	6	2	2	24
	2. Billiri	Billiri	4	1	10	6	2	2	23
	3. Balanga	Balanga	-	1	10	6	2	2	23
TOTAL	9	7	21	9	90	54	18	18	210

KEY: a) Traditional Rulers and Title Holders

b) Chairmen of Local Governments

c) Councillors