Nigerian Local Government System: Decentralization and Democracy for Development or Decentralization, Democracy and Development

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Wednesday, 21st May, 2014

Chapter Six

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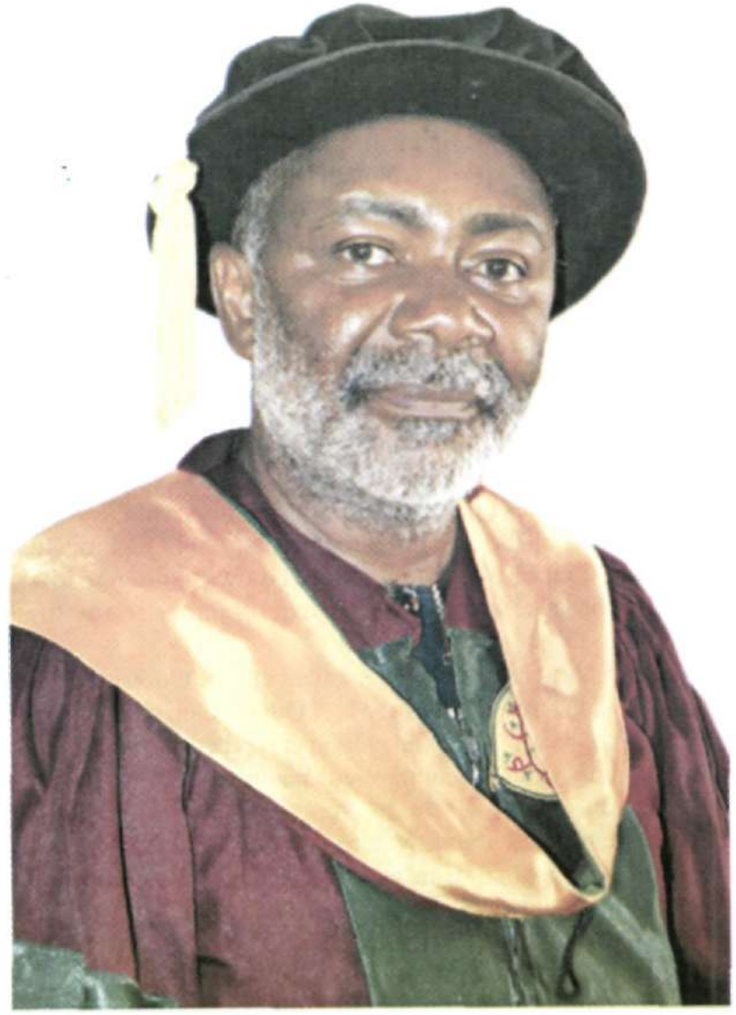

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Acknowledgements

The Journey to Professorship has its remote and immediate engineering. The beginning can be said to be remote now because it has been laden with history. The truth is that the man Adejo Odoh, became what he is today principally through God's will or design, and the goodwill and amazement of men and the social energy in him. In all these, I give thanks to the Almighty.

I want to sincerely thank my Dad, Mr. Samuel Odoh who served the Colonial and Post Colonial administration as a teacher and an education administrator even though proportionate reward did not really come his way, but I thank God that his son the Professor has redeemed the premium for his selfless service. He was most enthused when he discovered that I was the first Professor from my District. In the same vein, I would like to acknowledge the efforts of my late mum (Mrs. Grace Odoh) for the unflinching care and support to ensure that school life was a pleasure. May her soul continue to rest in peace. For Ben, my late Uncle, who conveyed me on bicycle from Ochaja to Ogugu when public transportation was not regular between these points, I am grateful to Audu Oloto Apeh, Alfred Odeh, Gabriel Odoh, James Abimaje Odoh, Salome Inikpi Odoh, Sule Odoh, all of blessed memory. You will continue to glow in my memory because of your various contributions to my life on the way to stardom.

My wife and children – Mrs. Elizabeth O. Odoh and Mercy Odoh, Juliet Odoh, Anne Odoh, May Odoh, Onu Odoh, Desire Odoh, Salem Odoh and Hezekiah Odoh have been 'daddying' me through thick and thin. I salute their patience and resoluteness. Daddy has not disappointed you, by the grace of God. My desire is for the academic minded among you to become like Daddy and even surpass him. My wife has been a wonderful source of inspiration. God bless you.

My step mothers, Mary Odoh and Eli Odoh have kept the village front together with their husband. Through that, I have come to enjoy the company of my brothers Audu, Joseph, Ojoadale, Emma, Theophilus, Agene, Timothy, Achile, and my sisters Ajuma, Esther and Joy – all of the Samuel Odoh's family.

My in-laws Benson Oga and Adija Oga have been very supportive. So also are their children who passed through my care – Agwene, Ojoma and Aladi. They are all appreciated.

Ogugu Development Union (Home Branch and Zaria Branch) have provide sources of encouragement in the Journey to Professorship and even after. The same goes for Ogene Family Association. May we continue to be relevant in the quest for the development of our communities.

My Church, Chapel of Salvation (Kongo Campus) has provided spiritual fortress for my development. So also have the United Evangelical Church Sabon Gari Zaria and my home church, United Evangelical Church Ogugu, Kogi State. The spiritual dictum has been "pray without ceasing, and with God all things are possible".

I want to sincerely thank my colleagues in the Department both present and past. Among colleagues who have left for greener pastures are Dr. Joseph Egwuribe who kindled my interest in publishing. Others are Mrs. Mary Olayi, Mr. Balanchandran, Prof. F.C. Nze, Mrs. P. Odiongenyi, Abdulkareem Abubakar. Also to the late Mr. Oyeyipo, Prof. A.Y. Aliyu, Chief Adewumi, Dr. Shekwo, Dr. E. Ikoiwak, Dr. S.B. Oni, may your souls continue to rest in peace as you continue to occupy my thoughts from time to time. And to my late Ph.D Supervisors, Prof. P.C. Daudu and Prof. Kyari Tijjani, I will always continue to see your fingers in my progress. Part of the present crop of colleagues have been my students at one point or the other. They are Bashir Jumare, Dr. Usman Abubakar, Dr. M.K. Isa, Pius Abang, Umar Dahiru, Gambo Sanusi, Maruf Mustapha, Mohammed Usman, Dalhat Jumare, Hauwa Yero, Abdulhamidu Abdullahi, Abbas Aminu, Ojo, and Mrs. Ladi Jibrin. I joined the Department with two people with whom we had solidarised socially and academically. They are Dr. Bello Ohiani and Dr. Omar Mass'oud. Professor Halidu Abubakar was my teacher at the MPA level and went on to supervise my MPA thesis. He has been a senior colleague, a friend and a huge source of inspiration. My appreciation for his efforts. The same appreciation goes to the non-teaching staff in the Department.

To my colleagues across the street in Public Administration especially Prof. I. Abdulsalami, Prof. Anyebe and Prof. Suraj, I say thank you for good relationship. The rest of the academic staff of

Public Administration a lot of whom were my students at the PhD level, have been very forthcoming as we cooperate to build both Departments. I also thank the academic staff of Business Administration and Accounting for good neighbourliness. I must not forget my friends in Law faculty, Political Science (especially Prof. Dunmoye) and my friends Prof. B Joshua and Prof. Surakat both of English Department. Prof. Ben Ahmed of Faculty of Agriculture has been a trusted 'country man'. Dr. Martin's Ayegba and Prof. Jenks Okwori passed on to glory. May God have mercy on your souls while we live to grieve you. You were trojans while you lived.

I want to use this medium to remember all my secondary school classmates of the class of 1970 at Ochaja Secondary School. The smallest and youngest boy self actualised ten years ago. Not surprising, is it. Yes it is now common knowledge. I relive our experiences with relish and may God guide each and every one of you as you journey through your old age.

My teachers in primary and secondary school of colonial and missionary backgrounds, may God reward you for good upbringing that complimented my family upbringing.

My notable lecturers who imparted knowledge in me during the first degree programme in Political Science, require mentioning. These were Prof. Sam Oyovbaire, Prof. I.A. Gambari, Dr. C. Huff and Prof. Bjorn Beckman. I thank you for the foundation. Dr. Ejembi had passed on to glory. I still remember. Similarly, my colleagues during my first and second degree programmes such as Godwin Otiga, Andrew Ohwona, Ibraheem El-zaky zaky (my room mate in Danfodio Hall), Ibrahim Alkali, John Ayam, and late Samuel Opaluwa and Atumeyi have remained fresh in my memory.

To my students who I have tried to be firm and 'friendly' with, it has always been to encourage you to learn and be disciplined. You have been wonderful and I always urge you to contribute to the image of LG both onshore and offshore and remember to be good facilitators of development in communities.

I cannot exit this exercise without recognising the opportunity provided me by some Donor Agencies to express my knowledge and skills and build my capacity through my engagement with them in training, research and project activities. These are UNICEF, UNDP, UNFPA, DFID, USAID and the World Bank.

I have been through their various programmes and projects. My appreciation especially to Mr. Raymond Akor, Dr. Abimbola Adubi, Mall. Shehu and the entire Fadama III project team at the National Fadama Coordination Office. The State Fadama Coordinators are equally appreciated. Dr Omonona and Amanda Williams, my co-resource persons have been invaluable.

My Secretariat staff has been coordinated by Nafisatu Jimoh. Thank you for your skills and commitment.

Once again to God be the glory.

Mr. Vice Chancellor, all other protocols observed, I thank you for your patience, and kind attention.

Preamble

My deep appreciation to my God and my warm and heartfelt greetings to this great Assembly.

Prior to this occasion, Mr. Chairman, I had tried to create an opportunity to present a public lecture on the "Image of Local Government in Nigeria," to a large forum of people of diverse backgrounds. This opportunity presents itself to do something similar except that this occasion carries its own tradition different from a public lecture. That forum still needs to be created for greater rubbing of minds, given the level of public knowledge and attitude towards local government (LG).

The topic under consideration has a way of allowing us decide on the issue of image at the end of the presentation. It is a pre-requisite for undertaking an image building project on Local Governments in Nigeria.

I want to appreciate the authorities of Ahmadu Bello University for providing me this opportunity to account for my journey towards professorship and the contributions I had made to knowledge in this subject area. This great University awarded me a B.Sc and M.Sc. in Political Science, MPA Local Government and Ph.D Public Administration. I am therefore a home grown scholar in terms of degrees obtained.

My first contact with Local Government Studies was when I completed my M.Sc. Political Science, in 1982. The then Director of the Institute of Administration Prof. A.Y. Aliyu encouraged me to join the Department. Then I had strong reservations about Local Government (both as a discipline and as a profession). Even while pursuing my first degree, my inclination was towards International Relations and so, I never offered any courses on Local Government. On completion of my first degree, I was appointed External Affairs Officer, Grade 8 in the Ministry of External Affairs, but I had to turn that down because of my flair for academics which made me prefer to do the Masters Programme in Political Science. After the 2 years Masters Programme, on enquiry, the Ministry of External Affairs confirmed that my job in the Ministry was still available. Despite this, I still chose to take the appointment with the Department of Local Government Studies, A.B.U. Zaria. My consolation was that

being a Political Scientist, Local Government Administration, which is itself technically part of Political Science, was not going to be a difficult nut to crack.

The first challenge on the job and in the area was on attitude. People always felt and particularly then, that both lecturers and students of the Department were Native Authority personnel, connoting some backyard classification. The problem had to be made to turn into a challenge and people needed to know that being in Local Government should not carry a demeaning connotation. On closer study of the situation, I discovered that rather it was people who were ignorant and that they actually required the sympathy of those of us in the system.

My relevance in the Department and the Profession stemmed from this orientation. The challenge was that the discipline of Local Government needed to be elevated and its image improved to prevent misconceptions by both 'insiders' and 'outsiders'.

Choosing an area to work on became the next concern. Local Government is an agent of development, but it has to be effective and efficient in its administration for it to be relevant as a development agent. The study of Local Government system must shift from the Institutional-Process perspective to a mobilizational-development oriented one. Thus, it became imperative to study both, and shift emphasis to the more result oriented perspective. This is why in my earlier writings, the focus was on institutional growth on administration and service delivery. Very importantly variables such as personnel and institutional capacity building, financial devolution and development preoccupied my concern. My MPA (LG) thesis for example was on "Oil Revenue and its impact on Local Government Finances in Nigeria". Later on, I began to be bothered by the failing performance of LG despite oil revenue and the series of Local Government Reforms carried out by both the Civilian and especially the Military administration. That launched me into writing a PhD Dissertation on "Autonomy as a Principle of Local Government Administration in Nigeria." The Dissertation opened up a vista of issues related to Decentralization. My worry was that LGs experienced varying levels of decentralisation but there had been no significant effect on development or service delivery at the community level, irrespective of whether the milieu was a democratic or non-democratic one. The theory had been that

devolution and deconcentration, both variants of decentralization had varying degrees of impact on development but in the Nigerian case, that trend was lacking. It was the same story irrespective of the variant. This was why most of my writings since then attempted to query the situation and how LGAs can be empowered to respond to development challenges at the grassroots level given its legal, political and administrative frameworks. It is in this direction also that towards the end of this lecture, the application of a current paradigm on local government and development is advocated.

Mr. Chairman, permit me to add here that it has not been all research and publications but that on my part, I had as Head of Department, spearheaded the introduction of the first degree programme in Local Government and Development Studies in 2004, and in 2014 my efforts at preparing the proposals for the newly introduced M.Sc. Policy and Development Studies and M. Policy and Development Studies (Part time) were rewarded. Thus, the status and image of the Department had been enhanced through these two academic programmes. Hitherto the Department was noted basically for Diploma Courses, even though offering Masters of Public Administration (LG) and Ph.D Local Government at that time. Teaching has not been left behind as I have always managed to give my best to ensure that students get the best in terms of quality of teaching and in character building. We had always wanted our students to project the image of the Department to help reduce the misconceptions about LG. It is a task that continually needs to be done. I also thank God that today, I am one of the converts who believe in Local Government as an academic discipline and as a profession.

My task in all these endeavours could not have been possible without the support and cooperation of present and past and outgone colleagues of the Department. Professor Halidu I. Abubakar has been an outstanding senior colleague.

With this preamble, I seek the indulgence of the Chairman to proceed with my lecture titled "Nigerian Local Government System: Decentralization and Democracy for Development! or Decentralization, Democracy and Development; the first of these series from the Department.

1.0 Introduction

Decolonization and political independence cumulatively put enormous pressure on third world countries (including Nigeria) to hasten the process of development of these countries. This is against the background of colonial political, economic, social and even cultural exploitation of the territories, and the fact that the symbolism of independence as a messianic harbinger of better things to come enveloped the thinking and expectations of the people of the territories. Independence was synonymous with social change and rapid development of the erstwhile territories. This automatically translated into the agenda of governments and the need to devise appropriate strategies to bring about such social change to fulfil great expectations.

In reaction to this, the 'emergent' countries resorted to the idea of development planning where administrative and sectoral issues were systematically identified and resourced at both national and regional levels. A corollary of this was the 'strengthening' of the Native Authority system at the Regional level to hasten such development at that level. The cumulative effect of these was expected to be a fast growing economy, a stable polity, a social system that promoted social justice and equity, improved literacy levels, improved modern health care system and agriculture and rural development. In fact in Nigeria, the Third National Development Plan, representatively epitomised these lofty goals of the state (for its citizens) as follows:

i. A united strong and self reliant nation;
ii. A great and dynamic economy;
iii. A just and egalitarian society;
iv. A land of bright and full opportunities for all its citizens;
v. A free and democratic society. (National Planning Office, 1972)

Resources needed to be deployed as quickly as possible under the federal arrangement to facilitate the achievements of these in a planned manner. Part of the vehicle for facilitating such deployment at the rural and community levels were the Native Authorities(NA) later Local Authorities which later transformed into Local Governments. That is why plans were made concurrently by the National, Regional/State and Local Governments each over its

functional areas of jurisdiction and based on its resource scope and constraints.

The story of politics and development since independence has been a story of power sharing, adequate to support development (according to the philosophy of the political elites/policy makers) both at federal and regional levels. The ability of the lower tiers of government to provide services from thence became tied to the level to which power and resources were transferred to these tiers, vis a vis the scope and weight of their responsibilities. This in technical terms is referred to as decentralisation. Local Government (LG) itself is seen as a decentralization and the ability of LG to deliver services is predicated on the level or degree of decentralization it enjoys. Decentralization has become a major framework within which to study the LG system, its behaviour, its functionality and its outputs and outcomes.

It is within this tradition and framework that I have laboriously sought to understand the utility and relevance of the Nigerian local government system among others, over the years. This framework together with its democratic derivative is important for any meaningful analysis of local government as far as the ultimate aim of that institution is concerned.

For a proper understanding of this lecture, there is need to undertake some conceptual clarifications, from studies to show that there is a relationship between the level of decentralization and service delivery, including the catalytic or mitigatory role of democracy. This will also facilitate the understanding of my contribution to the development of this perspective over the years. The second part will then address the Nigerian situation over the years. Part three focuses on my own contributions to the subject matter over the years while Part four provides an altertnative.

1.1 Conceptual Clarifications and Relationships

Definition of Local Government

Local government is defined as

> a sub unit of government controlled by a Local Council which is authorised by the Central government to pass ordinances having a local application, levy local taxes and exact labour and, within limits specified the central

> government, vary centrally decide policy in applying it. (Maddick, 1963)

The United Nations (Office of Public Administration) defined local government as

> a political subdivision of a nation or (in a federal system state, which is constituted by law and has substantial control over local affairs including the powers to impose taxes or exert labour for prescribed purposes (cited in Ola, 1984 : 7).

Within the context of Nigeria, the 1976 Local Government reform defined LG as:

> Government at the local level exercised through representative councils established by law to exercise specific powers within defined areas Federal Government of Nigeria (FGN), 1977).

These definitions regard LG as a form of decentralization exhibiting the following characteristics:

i. a subordinate system of government
ii. legal or constitutional powers
iii. control over local affairs and can take action decisions
iv. mobilise resources – labour financial and material
v. representative council (elected or selected as the case may be).
vi. makes laws, policies and implement them.
vii. territoriality

Most LGs, whether in Unitary or Federal Systems share a lot of its characteristics. The major difference is the level of control or autonomy imposed or allowed in running the system. This takes us to the issue of decentralization.

The three concepts of decentralization, democracy and development require some definition and explanation to provide some take off point.

Henry Maddick (1963) popularised these three concepts of decentralisation, democracy and development in an attempt to provide the framework for analysing the place of local government and its workings and performance. According to him, the concept of decentralization refers to "the transfer of government functions to both agents and units of government in a given country." Even though this definition looks straight forward, Maddick did not hesitate to point out that the process of decentralisation involves the process of deconcentration and devolution. While deconcentration refers to "the delegation of authority adequate for discharge of specified functions to staff of central departments who are situated outside the headquarters", devolution on the other hand, is the "legal conferring of powers to discharge specified on residual functions upon formally constituted local authorities".

A close look at this definition suggests that deconcentration is about field offices or agencies of central governments while devolution involves local authorities that are formally constituted. The legal, constitutional and democratic implications of devolution are not lacking in deconcentration. By extension, these definitions provide the basis for hypothesizing that local governments that experience devolution are more likely to perform (i.e. discharge their responsibilities) than those that experience deconcentration. This statement has implication for understanding LGs as decentralized political and administrative entities in Nigeria. This study is pursuing this lead as the lecture progresses. One other implication of these components of decentralization is that local government can operate as a deconcentration or as a devolution. Deconcentration gravitates towards centralization and control of government functions. Devolution on the other hand, indicates a lessening of control or properly referred to as autonomy, especially as it is mitigated by the democratic base of local government. So, the scope of decentralization involves control and autonomy. The hypothesis still operates the same way thus: LGs that experience autonomy, function and perform better than those that are subjected to control. Normally control refers to greater interferences from central or regional governments while autonomy refers to greater freedom from such control – its ability to exercise control over its decision making process and its resources.

We have however discovered that this hypothesis can only remain intelligible if it is properly contextualised. The unitary systems that have strong flair for centralization tend to run deconcentrated governments (with strong influences on their LGs) while federal systems provide better devolution arrangements and hence are supposed to facilitate more functional and development oriented local governments. This we have found out is more applicable in Less Developed Countries (LDCs) or the Third World. Such a postulation does not hold sway in advanced polities because rather than functionality and productivity depending on the degree of powers decentralized, the economic structure and status of these societies coupled with the quality of their social capital and level of political and administrative organisation would neutralise such postulation. Indeed between France and Britain and China on the one hand (unitary systems) and the United States of America, Germany and Australia (federal systems) local governments are in a position and indeed have shown great results in management, institution building, service delivery (development). On the other hand, between Nigeria that is expressly federal and Tanzania that is unitary, it has been the same story in terms of management, democratization and development. The varying systems have not affected the level of decentralization and development (Odoh 1985). This is a paradox. This is the reason why we caption this lecture as "Decentralization and Development or Decentralization for Development". What obtains in the advanced polities is case of decentralization for development while what obtains in the LDCs is decentralization and development. What ought to have happened to Nigerian LG System under the federal system is decentralization for development while other LDC centralizing countries ought to have been decentralization and development. The federal system has in no way favoured the Nigerian situation with all its theoretical niceties of guaranteeing LGs as third tier with powers, functions and resources allocated and safeguarded. Decentralization and development is a degeneration of devolution into deconcentration while decentralization for development is a functional devolution that is results-based and development oriented. The bottom line here is that in the Nigerian setting, autonomy is a myth, not a reality.

Some contemporary and more recent definitions of decentralization would be briefly presented here to add value to the

archival definition by Maddick and for a more robust perspective. Rodinelli (1981) and Olowu (1995) have overhauled Maddick's definition of decentralization and its major form of deconcentration and devolution even though from the same perspectives. For example Rodinelli in his study of the African situation defines this as a process which "allows local managers greater discretion in decision making so as to enable them to cut through the red tape and the ponderous procedures often associated with overcentralised administration". More recent authors for example Stohr (2001) broadened the definition as

> the transfer of responsibility for planning, management, and resource raising and allocation from the central government and its agencies to lower level of governments.

He added that it carries with it, the principle of "subsidiarity" which proposes that functions (or tasks) be devolved to the lowest level of the social order that is capable of completing them. According to the UNDP (1999), subsidiarity connotes decentralizing governance through the restructuring of authority so that there is co-responsibility between institutions of governance at the central, regional and local levels, tailored toward increasing the overall quality and effectiveness of the system of governance while increasing the authority and capabilities of such national levels. The latter part of this definition has added value to the concept. Hitherto it was seen as local government's capacity or autonomy to provide or deliver services. Recent trends look at it as not just delivering services but the personnel and institutional capacity building processes and more recently on the part of the communities as they play their role in service delivery (World Bank, 2003).

Two examples are pertinent here. First is the American experience where the Federal Government from time to time channels certain federal controlled services through Counties, Townships, Councils and Cities by providing standards, powers and resources for providing these services on behalf of the Federal Government. This in turn builds the capacity of LGAs. This is unlike the Nigerian situation where the higher tiers of government do not trust the capacity of LGs and would want to do things on their behalf thus diminishing their capacity. Decentralization is not

about diminishing capacity but building and strengthening capacity of local councils. The second example is the paradigmatic shift by international donor agencies to empower local governments to develop their capacities and those of the communities (see for example World Bank Agricultural and Rural Development Projects) (World Bank, 2003).

Ruth Khare (2006), defines a decentralized system as "one which requires multiple parties to make their own independent decisions." Such decisions are local autonomous decisions towards its individual goals. There is minimum interference from centralized authority.

1.2 Decentralization and Democracy

The issue of decentralization and democracy takes us to three issues.

a) the definition of democracy.
b) the interconnectedness of the concepts including how reciprocal the concepts are.
c) the implication of both for development or service delivery.

1.2.1 Definition of Democracy

This lecture does not go into othordoxy in the definition of democracy. Nevertheless, according to Stuart Mills (1962), democracy relates to three key tenets of utilitarianism, liberty and representative government. Therefore, democracy can be construed as greatest benefit for the greatest number, freedoms and rights of people and a government of the people through their representatives that is capable of protecting and guaranteeing the first two tenets.

Democracy according to Huntington (1991: 7) is a system in which its most collective decision makers are selected through fair, honest and periodic election in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote. This definition looks at democracy as process of political recruitment through electioneering, culminating in representative government.

The definition that follows looks at democracy from the point of view of governance. Mbachu (2009: 5) states that "democracy involves putting in place good governance that will represent the interest and aspirations of the people. It does this through representative institutions that effectively and efficiently

manage the resources for the people accountably and transparently, using the constitution and adhering to the rule of law:" Bamidele (2011:54) added a similar voice when he opined thus "Democracy is inherently attached to the question of good governance which has an impact on all aspects of development efforts...also people participate in decision making process that affect their lives."

A third layer of definition of democracy especially within the context of decentralization is from Bingel (1989:3). This he states as "that system of community government in which the members of a community participate directly or indirectly, in the making of decisions which affect them all." This idea is similarly shared by Anshi (2000) where he states that democracy should be "a system that is tolerant and respects the freedom and integrity of all occupants of the geographical entity for which democracy is anchored..." Ideally it should be "capable of putting in place a system of governance that caters for the needs and aspirations of the general populace.

These definitions of democracy have addressed the ideals of democracy, governance as the translation of these ideals in everyday life, and the issue of participatory democracy and service delivery as the reality or dividends of democracy.

The important issue for this paper however is that democracy must interact, interface and support decentralization for development to take place. For example, community participation on decision making and service provision connotes devolution, even of democracy. Good governance at both higher and lower levels of government is symptomatic of effective decentralization.

Scholars have commented on this seeming two face of the-coin syndrome. USAID (2000) observed that decentralization is about power and is therefore a fundamentally political process. Specifically, decentralization is about handing over power to the local people typically from the central government. So this shows that the inherent nature of democracy and politics in decentralization. This is why we are tempted to say that decentralization that is effectively supported by the democratic process (devolution) is more likely to promote development than the top-down model (deconcentration). Absence of democracy is injurious to effective decentralization as autonomy is seriously

encroached on with the resultant effect of poor local initiative and poor services.

According to Enemuo (1999) many donor agencies and international finance institutions such as the World Bank see decentralization as a means of creating an enabling environment for development and promoting accountability which is an attribute of democracy.

To further deepen the understanding of these relationships, Work (2002) creates a distinction between political and administrative and even fiscal decentralization. In political decentralization, political power, authority, responsibilities and resources are transferred to sub-national levels of governance, which require a constitutional, legal and regulatory framework to ensure accountability and transparency. It is associated with elected and empowered sub-national forms of government ranging from local council to state level bodies. Devolution is considered as a form of political decentralization and such units are usually recognized as independent legal entities and are ideally elected (although not a necessity). Administrative decentralization aims at transferring decision making authority, resources and responsibilities for the delivery of public services from the central government to other levels of government, agencies and field offices. This is synonymous with decentralization.

The difference between political and administrative decentralization is the political and democratic undertone of the previous which is absent in the latter. It is a question of the degree of autonomy resulting from both models. Fiscal decentralization refers to the resources reallocation to sub-national levels of government. Normally such exercise is tied to budgetary practices and ideally, such arrangements for resource allocation are often negotiated between the central and sub-national governments, based on several factors such as interregional or state equity, availability of resources and fiscal management framework and capacity (Work, 2002).

Democracy and decentralization are therefore intertwined and require a fiscal decentralization framework to support them with a view to providing development (services).

1.3 Development from the Perspective of Decentralization

The enduring relics of the meaning of the concept of development within a decentralized entity like local government still rests on the age long conception of movement from tradition to modernity (Whitaker, 1970). We are not talking of macro or universal meanings as is obtainable at a macro level. Development at the decentralized level is a way of responding to the Maslow's (1970) physiological and social needs of community members in form of services. It involves creating the infrastructures that would support the standard of living of communities and directly investing in the human capacity of the people. According to the UNDP (1999) service delivery which flows out of this is "a set of institutional arrangements adopted by the government to provide public goods and services to its citizens".

Development according to Goulet (1971) is "sustained elevation of the entire society and social systems towards a better or more humane life", the objectives of which are life sustenance, self esteem and freedom. These are economic, social and political objectives.

Development contextualised in local governments, would refer largely to rural development. Lele (1975) defined rural development as improving living standard of the mass of the low income population residing in rural areas and making the process of their development self-sustaining.

According to Todaro and Smith (2003:14 – 25) development deals with issues such as poverty, inequality, unemployment, population growth, environmental decay and rural stagnation. Todaro argued that we should be moving beyond the traditional view of development which addresses issues of economic growth, expressed in the gross national product, gross domestic product and the various indices of the rate of economic development and incorporate social indicators such as gains in literacy, schooling, health conditions and provision of housing which constitute more of Human Development Indicators (HDI). The new economic view point according to the authors advocates for the "dethronement of GNP" and elevation of direct attacks on widespread absolute poverty, increasingly inequitable income distribution and rising employment. This is a confirmation of Seers (1969:3) when he reduced the question of development to three key questions: what is

happening to poverty, inequality and unemployment? Todaro finally proposed that

> development must be conceived as a multidimensional process involving major changes in social structure, popular attitudes and national institutions as well as the acceleration of economic growth, the reduction of inequality and the eradication of poverty.

Decentralized development should therefore address the structures and infrastructures that are capable of providing economic and social services and the political values or culture that support and sustain these. This is actually the task for decentralized development. It is from this platform that some of the multiple stakeholders that participate in decentralized development take their queue. Examples of these are local governments and international donor agencies.

The point has been made earlier that LGs in advanced countries are better organized, sitting on developed economies and efficient in service delivery. In the USA for example, local governments engage in services such as running of airports and harbours. These are not the type of services for our case study, Nigeria. In Nigeria, the capacity to provide services depends on constitutional framework and the degree of devolution.

The closest issues to defining development and service delivery in the Nigerian setting are the assigned functions of local government and the role they play as decentralized entities. The roles Nigerian LGs play are political and socio-economic (Odoh, 1994). This derives from a classification of the four objectives of local governments outlined in the Guidelines for Local Government Reform (1976). This also ties in with the new economic view point presented earlier on and the multidimensional nature of development.

The political role of local governments in Nigeria is expressed through their role in democratization. Local government is a recruitment and training ground for leaders. The civic culture is aspired to in LGs. LGs are used to provide election logistics, partners in ensuring successful conduct of elections. They are useful in mobilization of the public over their rights and duties and the role

the public should play in electioneering. They provide the right context for politics and governance. In addition, LGs provide security and indeed the Chairman is the Chief Security or Peace Officer in the LG. Indeed they have statutory committees related to the Security and Police and Community issues in the LGA. They also use traditional political institutions for such purpose. LGs provide a two-way-channel of communication between governments and the people, with regards to government policies and people's demands.

The socio-economic roles of LG are directly found in the functions of LG contained in the Fourth Schedule of the Constitution of the Federal Republic, (1999) and the various state laws on Local Government. These functions are normally classified into those that are mandatory for the LGAs to perform without assistance from the State and those that are concurrent. Among the first category are economic planning and other functions such as collection of rates, establishment and maintenance of cemeteries and burial grounds, licensing of bicycles and trucks (other than mechanically propelled ones), markets, motor parks and public conveniences, roads, streets, drains, naming of roads and streets, public conveniences and refuse disposal; birth registration and deaths and marriages: tenement rates and property tax. They also include control and regulations of outdoor advertising and hoardings, movement and keeping of pets of all description, shops and kiosks, restaurants and other places for sale of food to the public and laundries and control of liquor. Note that these functions are both a service and a revenue generating function. They are very basic or primary, characteristic of the name local government.

The concurrent functions on the other hand, even though basic and social, are cost intensive since their provision is capital in nature while government hardly generate revenues from these services. They are: Provision and maintenance of basic education; the development of agriculture and natural resources (other than exploitation of minerals); the provision and maintenance of health services, "and any such other functions as may be conferred on a local government council by the House of Assembly of the State."

The provision of these services amounts to development in the local government. In so doing, the right structures and infrastructures are put in place and the concurrent functions

especially will direct the energies of local government towards modernizing the institution, the communities and help contribute to national and state efforts towards the 'ends' of the new economic view point and its multidimensional nature.

International donor agencies that have engaged in local or rural development in Nigeria have also patterned their idea of development around the new development view point and a sophistication of the concurrent functions of LG in Nigeria especially in their programmes and objectives and approach to the delivery of these services. The United Nations Millennium Development Goals (MDGs) for example has 8 goals to be achieved by 2015 (after series of shift in timeframe). These eight goals address the following (UNFPA Publications).

1. Eradicate extreme poverty and hunger.
2. Achieve universal primary education.
3. Promote gender equality and empower women.
4. Reduce child mortality.
5. Improve maternal health.
6. Combat HIV/AIDS, malaria and other diseases.
7. Ensure environmental sustainability.
8. Develop a global partnership for development.

There are three direct health goals, one direct primary education goal and one economic and agriculture related goal. The other three goals have bearing on these three sectoral areas. Indeed these are the basic preoccupation of LGAs while effective decentralization at the LG level should be able to facilitate the delivery of these goals. The success of the MDG would depend to a large extent on effective decentralization at the LG level.

The story is replete with other bodies like United Nations Children's Fund (UNICEF), the World Bank Fadama Project and the Local Empowerment and Environmental Management Plan (LEEMP). One health goal of the UNICEF country plan 2005 – 2009 for example was

a) to reduce the incidence of water borne diseases and other related problems, through the provision of good drinking water to the people (UNICEF; 2007). The project that was implemented in this respect was water and sanitation project

(WATSAN) in communities. This is a health and sanitation program of LGs.

The LEEMP, a project of the World Bank (2004) at the Community level had as its goal: to strengthen the institutional framework at federal, state and particularly local government to support environmentally sustainable and socially inclusive development. This objective is improving decentralization and service delivery and the environmental imperatives and implications of service delivery.

Development or service delivery at the local level is therefore a joint effort. The donors have defined development to coincide with the legal framework for development and service delivery even at the LG level. The difference has been that while LGs struggle to measure success at the level of output, donors have moved beyond this looking for outcomes and the sustainability of such development efforts. These two success measures still show how weak the decentralization variables and efforts are at the LG level and the stronger decentralization approaches to development by the donors.

In concluding this section one would observe that both democracy and development would need to be decentralized in order for decentralization efforts to be meaningful. Effective decentralization would hinge on building the capacity of LGAs to harness both democracy and development to improve their image among the people and other governments. At the root of such performance are two critical issues of the decentralization arrangement viz Control versus Autonomy. Control is institutional, autonomy is both institutional and democratic. Autonomy is a prerequisite for effective decentralization and development. Both legal and governance forces hold down the degree of autonomy for service delivery in local government. These are the variables that guide our understanding of the next section which attempt to provide some literature/overview of decentralization in the Nigerian local government administration and how this has affected service delivery.

Part II

Overview of Decentralization, Democracy and Development in the Nigerian Local Government System

This part of the lecture that relates to the Nigerian experience was a major preoccupation of this author's interest and focus as he journeyed into Professorship. My Ph.D thesis addressed the issue of "Autonomy as a principle of Local Government Administration in Nigeria (Odoh 1989). There have been various write ups about federalism and power sharing, Intergovernmental Relations, Democratic and Administrative Reforms in Nigerian Local Governments, Fiscal Decentralization in Nigerian Local Governments, Party Politics and Service Delivery, Decentralization and Service Delivery, etc. The materials presented in this section have benefited from such write ups.

It would be necessary to remind ourselves that decentralization refers to the degree of autonomy enjoyed by local governments – autonomy here referring to the capacity and ability to take decisions and implement these decisions with minimum interference. In the Ph.D Dissertation for example decentralization as represented by autonomy (devolution) is expressed in operational terms such as democratic autonomy (political) administrative autonomy, financial autonomy and service delivery. In fact, apart from the operational definitions provided in the Dissertation, a Journal paper titled "Understanding the Concept of Autonomy in Local Government Administration provided further operationalization of "autonomy" in Local Government (Odoh: 2004).

In this section, therefore, autonomy is used interchangeably with devolution while control relates more with deconcentration – both variants of decentralization. This point has been established from the onset. A review of decentralization or autonomy and control in Nigeria LGs is undertaken below, bringing out the status of decentralization in Native Authorities or Local Authorities, Local Administration and Local Governments. The point to note overall is

that the more modern local governments became, the better for decentralization. Modernization of local governments was brought about by a diminished role of traditional authorities in LG administration and an entrenchment of democratic processes in Local Government leadership and decision making. In this aspect, LGs moved from a Sole Native Authority to Chief-in-Council to Chief-and-Council and to the modern local government system that was completely independent of the power of the Chief as the latter were consigned into their separate traditional council and subjected to LGA control (Odoh, 1989). That is the summary of the journey from deconcentration to devolution or from control to autonomy. Whether there has been any difference in local government administration and its subsequent impact on service delivery in practice, remains the issue for this lecture.

For the purpose of better understanding, the periods to be reported are classified into the pre 1976 period and the post 1976 period which are still sub-periodised as the analysis contiunes.

2.1 Pre 1976 Period

This period was dominated by centralization of administration resulting in tight control over local government administration. This was the period largely depicted as the Sole Native Authority, Chief in Council and Chief and Council where the authority of Chiefs were preponderant over Nature Administration, so, one could not have expected any reasonable degree of autonomy for LGs. The progression however shows that the subsequent administrative/leadership model was an improvement in governance than the previous, leading the way to modernisation.

The powers of Nigerian Local/Traditional authority were greatly curtailed with the colonization of the country. Thus the various traditional rulers who were the sole native authorities and whose vast administrative control and financial resources grew by leaps and bounds before this epoch, were checked with the imposition of a Central Authority over Nigeria especially since 1914. The traditional authorities lost their Sole Native Authority attribute, became torn between tradition and modernity and experienced erosion of powers in an era of democratic upsurge. In addition to this, as pointed out by Adegbite (1980), with every reform in the LG, and with the increasing modernization of these

institutions, there has been the tendency for the powers of traditional rulers/authorities to be diminished.

Of course under colonial administration "one with the District Officer is majority" and the District Officer could even annul the decisions of the Chiefs whether "natural" or "warrant". Indirect rule therefore maintained or preserved the Chieftaincy institution, gradually injected modern bureaucracy into LG administration, but granted little autonomy to the institution. In fact, the role of the D.O. was like that of the Prefect in the pre-1981 French system. Moreover, the democratic process was inconceivable in some of these LGs especially in the Northern part of the country until the early 60's while the West and Eastern Regions had started these practice since the early 50's. The implication of such for the autonomy of LGs was that N.As. in the North had all this while, depended on the iron hand of its traditional rulers – who were the prime movers of these institutions as far as the British instrument granted them the power to do so, while in both West and East, even though both were subject to the same control of the D.O; local participation and representative government leading to some autonomous decisions had already germinated in these region ahead of the more organized and entrenched N.A.s of the North.

Hence, in the Eastern Region, the N.A. Ordinance of 1950 was replaced by a system of County, District and Local Councils in 1955 – a liberal conception based on the British model. During this period too, the West took to the British model with the reform of 1953 introducing elected representatives constituting ¾ of the Councils. In addition, a three tier system of divisional, districts and local councils was operated. The Northern System revolved strictly around traditional rulers while the N.A. law of 1954 consolidated this arrangement.

In the 1960s, the East moved from LG to Local Administration. The famous Olu Obodo summarizes this. But there was tendency for more governmental control while at the same time stimulating local participation through the Divisional and Community Councils. In the South Eastern State, Development Councils and Urban Community Councils were created. The point here is that with Local administration rather than local governments, the constitutional and administrative powers of LGs were encroached on – autonomy only amounted to powers enjoyed by

functional bodies which was dictated by the regional government. This was just a question of deconcentration and it was not surprising in an immediate post colonial administrative context.

The period of the early 60's in the West was not too different. Various experiments were made – the American city Manager type, Area Committee Councils, etc., yet these were hampered by financial and bureaucratic constraints despite the availability of qualified Councillors.

For the North, in 1963, there was a decision that all N.A.s should have some elected members while in 1966, the military announced the take-over of the N.A. Police, Prisons and Courts owned by regional governments, created more states thereby reducing the powers of traditional rulers through splitting of larger LGs. while the principle of representation by elections was established (Oyediran & Gboyega, 1979 : ch. 9).

The tendency for greater control over the various LGs in the late 50's and early 60's (observed above) resulted from partisan politics since LGs were the basic units of political power and the nearest governmental institution that could effectively be used to mobilize the masses. Any talk of administrative or constitutional autonomy would have been manipulated by the opposing party. In other words, an autonomous LG could question certain powers of the regional government, and this the regional government was not prepared to brook, moreso when it ought to guard its political gains jealously.

Under the Military (before 1976) LG administration did not alter radically. It was the same Council system with the traditional rulers still enjoying some considerable vestiges of power and control albeit the centralized nature of the federal administration. The impact of LGs in the South was almost negligent, as will be seen later (Aliyu & Kochn, 1982). So far we have discussed administrative autonomy before 1976, what about financial autonomy?

2.1.1 Financial Autonomy

In terms of financial autonomy, the pattern also followed the above in that, the more organized LG system in the North had well established financial sources even before its cooptation by colonial

rule, which it "indirectly" exploited using traditional rulers, organized native treasuries and later, at independence, became responsible for the comparative performance over their Southern counterparts. To buttress this, by 1927 there were 24 fully organized NAs in the North and 5 in the South. Through a decision of the Colonial Secretary of State all LG retained 70% of their total tax collected in their areas. So also while NAs in the North raised a total of £536,007 in 1919, those in the East had £1,656. Furthermore, while grants for the Western region between 1952 – 59 increased from £200,000 to almost £1,300,000 in 1959/60, it had been declining with an all-time record of £750,000 in 1966/67. So, whereas between 1954 and 57, about ½ of the LGs revenues came from grants, since 1961 less than 20% had come from this source. Compared to the North, grants had been rising steadily in the 60's even though it constituted below 15% of LG revenue (Rowland, 1979). The point is that the North had every reason to depend less on grants because of their buoyant internal revenue base unlike the West, yet the regional government paid a steady attention.

Summarizing this issue of viability of LGs, the Report of the Committee on the Federal and State governments' financial contribution to Local Governments (1977 : 11) observed thus:

> ...the extent and nature of state governments assistance to local governments varied greatly from state to state. In some Northern states, for example, the government grants have covered wide range of local government services such as dispensaries, maintenance of civil lunatics, forest reserves, agriculture, roads, welfare, staff libraries, public enlightenment, education and rural development workers etc.
>
> ...In contrast to the above, in the Southern States, there has been a more restricted field for government grants and in some of these states, only a few grants have been paid.

Adedeji (1979) also observed that while the creation of six States in the North had expanded further the relative importance of LGs in the North, vis a vis the new state authorities, the creation of six in the South had revealed the relative unimportance of LG in that part.

And this importance can be highlighted in table 1 (appendix) where, for example, the combined finances of LGs for North Eastern State was 124% that of the State Government in 1968/69 financial year while for states like Rivers and Anambra, only 10% was recorded. It was only in Lagos that 51% was recorded which was about the lowest for any Northern State.

The comparison of North and South above intends to bring to the fore the fact that viability of LGs is contingent on administrative and financial variables and that even the latter could possess more influence. Democracy or participation or representative grassroots government could be no guarantee for viability or autonomy because the East and West that introduced this before the North had nothing to show for it in terms of viable LGs. The issue of autonomy of LGs cannot be found in representative grassroots government only but in financial resources and management which compels intergovernmental relations to operate in a certain manner. It also confirms that even though, there was an overall pointer to strict surveillance over LGs by the Regional/State governments during this period, the implication of this for LG autonomy varied from Region to Region or State to State.

2.2 Local Government Autonomy under the 1976 Reforms and the Second Republic

With the introduction of the 1976 Local Government Reforms, fundamental changes were effected. The varying systems of Local Governments in the country were harmonized, streamlined and standardized – a sort of uniformity in structures, functions and operations. Second, a Traditional Council accommodated the interest of traditional rulers which itself became secondary to the Local Government administration. (It became advisory in nature). A third major change was the streamlining of Local Government finances as spelt out in the Guidelines. Grants came to play a dominant role as a source of Local Government finance while the internal sources became rather inelastic with the abrogation of their hitherto dominant source in the North (community and cattle taxes) (Guidelines, 1976).

During this period too, the constitutional existence of Local Government was guaranteed on a nationwide basis, while Local Government was integrated into the overall Revenue allocation

structure/formula for the federation (Federal Government of Nigeria, Constitution 1979, section 7).

2.2.1 Administrative Autonomy

Local Government under the Second Republic was a subordinate creation of the State government. Having been given the powers to establish, determine its structure, composition, finances and functions, the state governments thought it better to operate along the lines of the Guidelines to the Reforms, part of which was integrated into the 1979 Constitution. Various Edicts were formulated from these broad Guidelines and modified in line with the Constitution.

Two major functional institutions regulated the activities of Local Governments during this period, viz: the Ministry for Local Government and the Local Government Service Commission/Board. The State Executive as a political institution had also its own share in the control. These political and functional institutions, in their dealings with the Local Governments, one way or the other, influenced the degree of autonomy of Local Governments. Let us take these one by one, beginning with the political institutions. This shall be done summarily.

Under the Second Republic Local Governments were reduced ordinarily to the creation of the State Governments through the instrumentality of the Governor. This is often referred to a political interference. The very fact that Local Government elections were not held throughout this period, left the Governor with absolute powers to constitute, dissolve or reconstitute the Local Government Councils. They preferred to appoint Caretaker or Management Committees who they could easily control along party and selfish lines. It reduced Local Governments to a worst form of deconcentration. Even the system of reward whereby the Governor could create new Local Governments (with the support of his assemblymen) as a reward for electoral support had untold effects on the viability of new Local Governments and hence their autonomy.

Apart from the State Assemblies being carried along in the creation of new Local Governments, they also determined the allocation of public revenue to Local Government Councils within the State. In a State dominated by a single – party, the minority

Local Government could be sanctioned through such an instrument. Moreover, laws for Local Government elections were not passed by the State Assemblies (in conjunction with other bodies) thereby leaving Local Governments in perpetual dependence on the whims and caprices of the state administration.

For the functional institutions, the Ministry for Local Government, rather than coordinate the activities of LGs, interfered with their operations. There were even cases of Local Government estimates not cleared within the budget period, thereby paralyzing the various activities of Local Governments. Bureaucratic procedures held up Local Government day to day administration because clearance had to be sought on major issues beyond the constitutional control of the unit Local Governments. (However, there were incidents where some Local Government Chairman and Councillors who were seen by the government as the main source of support sometimes resisted control which they regarded as interference). The Inspectorate could not perform effectively with the unfortunate consequence of poor management of finance of the Local Government.

Local Government staff often complained about the Local Government Service Commission/Board because of its reckless and partisan handling of recruitment, posting, transfer and promotion matters. Moreover, the problem areas between the Service Board and the Ministry for Local Government slowed down the progress of work in Local Governments.

2.2.2 Financial Autonomy

Local Governments were financially crippled under the Second Republic inspite of the fact that a new innovation of statutory grants from the Federal and State governments was built into the system. It was ironical that the period when these units got additional financial support from the Federal Government was the period they least performed their functions or demonstrate any real position of strength or autonomy (except for a few urban Local Government especially in Lagos).

Studies have pointed out the real source of weakness in Local Government finances during this period – this included: the little attention paid to the internal source of revenue, withholding and diverting grants meant for Local Governments by State

Governments, while on its part not honouring its own share of the allocation to Local Governments, which in turn diminished the meagre resources for management purposes. The primary education element and the withdrawal of direct Federal Government subsidy was a real thorn in the flesh of Local Governments. Primary Education consumed an average of 70% of Local Government funds leaving it with 30% to run the rest of its services (Report, Primary Education 1983). Moreover, the allocation of funds from the Federation Account sent most of the Local Governments into a lull, with little or no attempt to exploit their internal sources.

In an earlier study, I did on the financial dependence of Local Governments it was discovered that the financial autonomy the Local Governments used to enjoy before the Reforms and especially before the Second Republic (in the North) had vanished, with the abolition of key tax areas (Jangali and Community tax which used to constitute 80% of their total revenue). The reverse was now the case where internal sources account for 20% and in many cases much less. Second, I advocated that for meaningfully mention of autonomy, Local Governments should consider the grants from the other tiers of government as given, while turning inwards primarily to exploit their internal sources. (Table 2.2 below shows the miserable nature of this internal revenue generation effort). Asking for more funds was rather a marginally effective option. At the disposal of Local Governments were an array of revenue Heads like Property, fines, fees, rates, loans and investments (Odoh, A. 1984). Research has shown that apart from market fees, Local Governments failed on most of these. In an appraisal study carried out by the Department of Local Government Studies, Ahmadu Bello University, Zaria, it was discovered that no Local Government committed up to 3% of its funds to investment with more than 70% of the Local Governments falling below the 1% mark, which sharply contradicts what obtains in advanced capitalist countries (Department of LG Studies (1985).

The argument is often made that if political interference was minimal and the State Government had honoured its financial obligations to Local Governments through the various institutions as required by the Constitution and if Local Governments had tapped their internal sources, the so called financial autonomy would have been achieved. The credibility of such argument was demonstrated by the quasi financial autonomy of Lagos Local Governments.

Table 2.1: State and Local Government's Approved Estimated Revenue, 1968/69

(1) States	(2) State Government Revenue £M	(3) Local Government Revenue £M	(4) (3) AS Percentage of (2)
Benue	4.27	3.16	74.0
Plateau	n.a.	0.11	-
East	6.86	3.22	47.8
Central	2.47	2.43	98.0
Kano	10.51	5.41	51.0
Kwara	11.99	1.78	15.0
Lagos	4.66	5.76	124.0
Midwest	3.62	2.78	77.0
North-Central	8.23	0.62	77.5
North-Eastern	6.44	0.25	4.0
North-Western	20.11	3.17	15.0
Rivers			
South Eastern			
Western			
Total	**84.43**	**31.13**	**36.6**

Source: Approved Estimates of State and Local Governments 1968/69.

Table 2.2: Percentage of Local Revenue from Total Revenue 1976-81

LGs	State	Years					
		1976/77	77/78	78/79	79/80	80/81	81/82
Argungu	Sokoto	13.5	9.1	8.8	8.1	4.6	4.5
Gazawa	Kano	2.6	6.9	8.9	3.6	3.6	7.6
Hong	Gongola	23.2	11.4	12.2	13.1	8.9	9.6
Kazaure	Kano	-	11.0	20.7	5.5	3.6	1.4

Source: Odoh A. M.P.A. Thesis 2004

2.3 Decentralization between 1984 – 1990

2.3.1 Immediate Post Second Republic Era (1984 – 1985)

The post 1983 military era had infused discipline, prudence in financial management and meticulous exploitation of revenue sources into the operations of Local Governments. In a paper presented by the Sole Administrator of Jahun Local Government, then Kano State, (now Jigawa State) he took us through the ordeal of having to put together a financially battered Local Government at the inception of the military and how almost 8 – 10 months later the Local Government could stand on its own and pay salaries of its workers promptly. This was how he painted the negative picture.

> In Jahun, it is discovered that besides decline in revenue, one factor that seriously hampered progress was the reckless manner in which expenditure was committed...As at January, 1984, it was estimated that over N400,000 remained as liabilities of the Local Government while the cash in hand did not exceed N10,000. These liabilities did not include loans granted to the state government by the Ministry which was discovered to be about N225,727.02. It became traditional that salaries and wages for any month could not be paid until federal grants were received. The task facing the new administration was to reverse this trend. (Sambo, 1984).

This, according to him, was done within 10 months especially the latter. We believe that many Local Government were worse than Jahun. But the new era, through its internal revenue efforts and prudent financial management was able to overcome its problems despite the economic situation of the country. At least workers salaries were being paid and the primary schools had been functioning on continuous basis (albeit repressive measures of some governments) while some closed down projects had been revived. These are the indices that should be used to measure autonomy rather than a representative system at the grassroots per se. Administration should be undertaken for development while democracy or local representation should be secondary. It is agreed that administrative autonomy was being sacrificed then because of the highly centralized nature of the administration but financial autonomy is capable of diffusing such deprivation which in turn transforms into development. This Jahun case was an example of

how the military era promoted better organisation and service delivery than the civilian period where politicisation of Council led to chaos in LG administration, financial and service delivery.

2.3.2 The 1985 – 1990 Era

The pre-1991 experience concerned the implementation of the Dasuki Report, the transition programme and the zero-party based elections. These were various democratic experiments that test run the return to civil rule. Local government was the guinea-pig which was reinforced in different ways, all to promote autonomy and viability.

When the Babangida administration assumed power in 1985, it attempted to prop up Local Government through various reforms, pronouncements and operations. It inherited the Dasuki Report in 1985, which recommended a Caretaker Committee System for local government, with a view to their being democratized later. Dasuki recommended the cutting down of the number of councilors, since many Councils could not shoulder their emoluments and allowances. He also recommended a jacking up of statutory allocation to councils while encouraging councils to pay greater attention to their local revenue effort. Babangida virtually adopted all these measures and thereafter, set on a course to devolve more powers to local governments.

From a democratic perspective, he arranged a zero party election for local governments in 1987 but dissolved councils six months to the end of their tenure. In 1989 another election, this time on 2-party basis (the National Republican Convention (NRC) and the Social Democratic Party (SDP) was conducted. This lasted till 1990/91 when another election was held, this time to usher in the Presidential system into local government. This was the biggest innovation during this period. The elections and councils of 1987 and 1989 did not deviate seriously from former experiments since their autonomy were curtailed. The 1989 and 1991 Councils got some breather through some reforms enumerated below (Odoh, A. 1993) and (Gboyega, 2000).

a) The abolition of the Ministry for Local Government and its subsequent replacement by a Department of Local Government (assigned relatively fewer powers);
b) Budgetary restrictions and delays were minimized;

c) Direct funding of local government from the Federation Account into Local Governments own account, i.e. the abolition of the State Joint Account Fund;
d) Increase in local government statutory allocation from 10% to 15% and later on to 20%;
e) Transferring the responsibility for Primary Education to a Primary Education Board;
f) Transfer of some Primary Health Care functions together with institutions, personnel and "funds" to local governments;
g) Complementing the rural development efforts of local government through the establishment and operations of the Directorate of Foods, Roads and Rural Infrastructure (DFRRI) and the Directorate for Social Mobilization (MAMSER);
h) Special take-off allocations for newly created local governments and periodic doling out of funds to meet some capital needs of local government like roads, transport and education;
i) The 1989 Constitution, which had in Section 7 given better protection to local government;
j) The presidential system in local government which held a lot of promise for local government autonomy.

The outstanding feature of this period was the experimentation with the Presidential System. Let us look this in some detail.

2.4 The Presidential System and Local Government Autonomy (1990 – 92)

In 1989, the "Local Government (Basic Constitutional and Transitional Provision Decree" was promulgated. This as the name suggests was to take local governments through the transition period billed to terminate in 1992. In this Decree, the gains of the Local Government system since the 1987 democratic experiment were consolidated, including some of the reforms that had taken place within the period.

However, it was not until 1991 that the Presidential system was decreed. Subsequently an amendment Decree (No. 23) was promulgated which amended the 1989 Decree.

The major features of the Presidential system were, the separation of powers between the executive and the legislative (council) in local government. In addition the checks and balances that derived out of this would provide for autonomy and accountability. The major features of the Presidential system in local government are outlined in a separate Guideline. (Presidency, 1991).

These guidelines were meant to expatiate on the theory of separation of powers and checks and balances.

From the wave of romanticization with local governments (either for political/altruistic purpose) or for real purpose of empowering these units of development, the Presidential system was one of the experiments that served such an agenda. Credit must however be given to it for the autonomy it held out for local government.

Local governments were empowered to debate and approve their own budgets and also make their own laws. The Councils could in addition to these, vet local government monthly statements of income and expenditure and monitor project implementation.

It was hoped that with each arm of government being separate on roles and responsibilities, and acting as a check against the other, there would be no need for the excessive control hitherto exerted by the State Governments.

In fact, initially, local governments were empowered to recruit and manage their own staff as the Local Government Service Commission was then scrapped. This only lasted for six months because the Chief Executives of local governments turned his new-found autonomy into a witch-hunting and victimization exercise. The tenure and stability of local government career staff were seriously jeopardized. This forced the Federal Government to re-instate the Service Commission. (The Presidency, 1992).

In terms of funding one could safely say that the period 1991 – 93 was one of the most prosperous for local governments. Statutory allocation increased from 15% to 20% designed to support the Presidential system. There was also a stabilization account and later on, local government came to benefit from the Value Added Tax (VAT).

Accountability was enhanced as impeachment and recall clauses were built into electoral and "operational guidelines" of local government. Despite all these concessions to local government

as reflected in their finances, momentary relaxation in staff control, whittling down of the powers of the State Departments for Local Government and democratization that created consciousness of service and accountability, there were little signs on the ground to show for these enormous powers. Instead, there were accusations of massive corruption on the part of the Chief Executives and even confrontation with the State governments. The autonomy conceded to local government was interpreted to mean autonomy for the political actors rather than autonomy for the local government as an institution and its people. Such massive failures in the use of autonomy led to interventions here and there on the part of the superior governments, like the removal of confrontational local government chairmen, dissolution of docile and corrupt councils and even probes into some others. (The News Magazine, 1996).

The real issue however was that the period of 1991-93 was when real attempts were made to devolve powers to local governments adequate enough to label them as autonomous, and even meet the criteria of autonomy. But the fact that this experience failed could be traced to a number of factors. First, that the concept of autonomy was misconstrued (as stated earlier) either inadvertently or intentionally and second, that the legislature allowed itself to be tele-guided and bamboozled by the Chief Executive of the local governments and therefore abandoned their key role as a check and balance institution. In fact the powers enjoyed by a chairman was a function of the activity and activism of the legislature. Two illustrations from two local governments attested to the manner of operations of the system.

Writing on Zaria Local Government, Kaduna State, Adamu (1992) observed that the noticeable failure of the system could be attributed to the following:

- The Chairman of the Executive Council was seen to be attending meetings of the Legislature when he was not supposed to.
- The State Government interfered in the affairs of the local government by passing on to it extra-budgetary responsibilities from time to time. An example of this was the forfeiture of N2 million by each local government at one point, and the responsibility to refurbish State Secondary Schools in their area of jurisdiction.

Furthermore, he observed that in Zaria Local Government

> ...the elected leaders use the Career Officers to fulfill their selfish interests to the detriment of the Local Government interests. For instance, there were cases when these political leaders siphon the resources of the local government and divert them to their own personal use.

On the issue of accountability, he remarked that:

> ...the electorate mostly lacks the political awareness that would enable them demand for accountability from those they elect to represent them.

These issues above suggest that the spate for democratization in local government and the autonomy that accompanied it was a cover up for manipulations and personal gains. Democratic power, an important issue in autonomy was actually hijacked by the representatives of the people and the state governments leaving the people helpless even in the area of accountability.

A second example was from Ekiti South West Local Government of former Ondo State, where Ebenezer found that:

> ...the political conflict between the Executive and the Legislative arm is one of the problems facing the system in the local government. Another major problem is the conflict within the members of the council. The two factions in the legislative House always quarrel on every flimsy excuse. In view of the quarrel within the council, they have failed to serve as a watchdog for the executive. Their meetings are not conducted openly and in most cases meetings are not held. The strained relationship between the executive and legislative did not allow for the smooth functioning of the legislative arm....moreover the local government chairman wields enormous powers in the absence of a vibrant legislative council. (Olutope, 1992).

The above is a reminder of how the legislature under the Presidential System in local government weakened itself and fell prey to the whims and caprices of the executive thus making

nonsense of the checks and balance which would have guaranteed autonomy for the council.

At a broader level and in line with the above observations on the two local governments, Bello, pointed out that:

> We saw that in many Local Governments in Northern States of Nigeria, not much has been achieved. What we saw through direct contact and discussions with chairmen and supervisors on one hand and councilors on the other were and still are:
> - Political inexperience on the part of most councilors who regard political office as means of making money.
> - Lack of seriousness by Councillors to settle down to the business of governance;
> - Dictatorial tendencies by many chief executives either in pursuit of personal aggrandizement or taking advantage of the political weakness of Councillors who are supposed to serve as checks...
> - Insensitivity of many chief executives to the demands and expectations of their people due to selfish reasons of politics of deceit. (Bello, 1993).

The net effect of these observations and experiences was that even though autonomy was a major objective of the system, the managers did not allow it to nurture and so did not rise above mediocrity. Consequently these local governments ended up neck-deep in corrupt practices and other bad management practices.

2.5 Democratic Reforms and Autonomy since 1993

2.5.1 Democratic and Administrative Reforms

Since the Presidential Reforms terminated in 1993, there had been no other structural reform of a political nature in local government until recently. Instead, the system relapsed into the traditional cabinet system except for the fact that nomination/confirmation of local government chief executive did not have to be done by the State Chief Executive (unlike in the 1977 situation). This Parliamentary type situation continued for some time and very little or no attempt was made to contemplate any new system. Even after the no party elections into Councils in March 1996, the attentive local government public seemed to be at a loss as

to certain knotty issues in local government administration, especially the role of the Executive Council (FGPC) and the LG Council including their relationships.

It should be noted that nothing had changed with the politicians in the nine months of local administration under the zero party regimes in local government in 1995. The story had worsened especially with the increased poverty and greed of politicians. Interventions by State governments which always took away the real powers of local government were rampant. The spectacle of such, only bemused or surprised the people. The abuse of the democratic ideal and process continued. This did not come as much of a surprise since a military administration's tolerance for democratic institutions and processes normally stops where these infringe on their own real political interest.

The party-based elections concluded early 1997 was however supported by a more coherent and standardized guidelines for local government administration (from the Presidency) (Federal Republic of Nigeria Gazette, 1997). From all indications, local governments became more of Federal government's pre-occupation than State's. Of course this was the type of relationship and control needed by the federal government to continue to shore up its legitimacy to govern.

The reconstituted councils of March 1997 was based on a 5-party political contest. The noise generated by the election, resulted from Abacha's government support for a particular party. Because of the extreme partisan nature of these five parties, and the fact that they were all described sometimes as government parties, the local government councils owed their allegiance largely to the superior governments rather than the electorate. This was why the level of government interference was very pronounced. Such interference came in form of directives to fund one government programme or the other. Examples of such programmes were the Family Support Programme, General Sani Abacha's self succession campaigns, (especially the 2 million Man March), visits by "important dignitaries" to local governments, impromptu orders from State governments on rallies and sponsoring of teams/contingents from local governments, central purchases for health, educational and agricultural equipment and materials at inflated costs on behalf of local governments and other channels of wastes. All these helped to

drain local government funds and hence any meaningful attempts at planning and development.

In terms of administration, Decree No. 7 of 1997 and the "Operational Guidelines for Local Governments in Nigeria" provided the framework for management of the various Councils. The main highlights were that the Decree acknowledged that local governments were back to the Parliamentary system with the Council consisting of the Chairman, and his supervisory councillors, and the ordinary or non-portfolio councilors – a form of "fusion of powers".

Local government council (i.e. legislature) was empowered to make bye-laws, debate, amend and approve budgets, monitor and implement projects and programmes and examine monthly statements of accounts of local government. These functions of the Council (Legislature) has always re-echoed since 1991 but it became even more difficult under the Parliamentary system, since most chairmen ended up mischievously sidelining their council members preferring mostly to work with their supervisory councillors.

The Chairmen hardly called council meetings at least once every month as the Decree and Guidelines stipulated. It appeared the Chairmen did not know the use of which to put the councillors despite their stipulated roles, or alternatively, this could be interpreted as the unwillingness of chairmen to run open administration.

There were sanctions for erring chairmen according to the Decree since it empowered even the Head of State to dissolve erring councils.

During this period, democracy could be said to be on trial as the new Councils especially the chief executives had to balance the political objectives/premium which the government placed on them with the overall objectives of local government; in other words, balancing the parochial political objectives with which the military considered local governments under a transition, as against the wider political and socio-economic objectives which local governments are supposed to achieve in any country. As pointed out earlier, the political objective was overriding in the military's conception since local governments to them were more of instruments of control (law and order) and legitimization rather than service delivery institution. And this was why an unbearable chunk

of funds to local government outside personnel emoluments went into profile and image-making for Abacha and his cohorts.

Autonomy was indeed better registered under the Presidential experiment in local government than the experiments of the Abacha years.

2.5.2 Finance and Autonomy since 1991

Since 1991, Local government finances had become more stable than the earlier period. This was because, as pointed out earlier the usual practice of a State Joint Account for Local Government was discontinued in 1990 and a system of direct disbursement was put in place. A more stable revenue base was noticeable under the Presidential system with other developments like a stabilization account and later-on Value Added Tax. The revenue allocation formula also changed in favour of local government as increases were made from between 10-15-20%, as earlier noted.

Data has however showed an over reliance on Federation Account and the low level of internal revenue generation capacity of local governments this period, leading to a low level of financial autonomy.

The table below throws more light on this:

Table 2.3: Sources of Local Government Revenue Nationwide 1993-98 (N=million)

Year	Total Revenue (1)	Fed. Acct. (2)	State Allocation (3)	Value Added Tax (4)	Internally Generated Revenue (5)	% of (5) in (1)
1993	19874.5	18316.4	253.1	0.0	1035.6	5.2
1994	19222.1	17321.3	466.4	0.0	1205.9	6.2
1995	24412.7	17875.5	625.4	3558.1	2110.8	11.8
1996	23942.1	16569.7	691.1	4581.7	2027.1	8.5
1997	31183.2	20443.3	578.9	7515.0	2506.9	12.2
1998	44952.7	30199.3	1097.8	9187.3	448.6	0.9

Source: Central Bank of Nigeria, Annual Survey of Local Government Councils and Federation Account, 1999.

The issue of autonomy here concerns the financial capacity of local governments. The question of money (or total Local

Government funds) had been on the increase since 1993 especially with increased federal funding and the Value Added Tax. This followed the positive and progressive policy of the Federal government on local government finances this period. This had also continued until the present. One area that detracts from the autonomy is the capacity of local governments to generate their own revenue. Local governments have not been able to generate beyond 12% of their total revenue. In fact the average for many in the federation did not go beyond the 5% mark. This over-reliance on external sources limited their autonomy during this period. Furthermore, the State's statutory 10% allocation to local government had been either slow to come or did not materialize at all. The irony here was that even though the state governments exercised tight control over local governments, they tended to contribute the least. As if this was not enough, they reduced the financial capacity of local governments by passing extra-budgetary activities on local government. (This has been referred to elsewhere in this paper). If the point on the low level of revenue and even expenditure is taken together with the mismanagement and corruption that went on in local government during this period, we would be right to talk of the fragility of local governments rather than their viability.

2.5.2.1 Spending Limits

One last way in which local government autonomy was checked was through the imposition of "spending limits". Spending limits were introduced for local government functionaries (especially officers controlling votes, OCVs) under the 1988 Local Government Reforms. Thereafter in 1992, similar guidelines were issued as to individual local government functionary and council expenditure limits. The table below captures this:

Functionary	**Annual Internally Generated Revenue**		
	Above N2M	**N1.2M**	**Below N1M**
Chairman	75,000	30,000	15,000
V/Chairman	20,000	12,000	7,500
Leader	18,000	9,000	5,000
Secretary	15,000	8,000	4,500

Supervisor	15,000	8,000	4,500
Clerk	8,000	4,500	3,000
Heads Of Dept.	8,000	4,500	3,000

Source: Handbook on Local Government Administration, The Presidency, Abuja, 1992, P. 6.

The ability of functionaries to spend would then depend on the local government's ability to raise internal revenue. Note that hitherto, there was ceiling on expenditure for local government executive councils and legislative councils. In 1992 however, there was no need to place such limits since local governments were considered autonomous. After the presidential experiment in local government, subsequent councils until the present have had limits placed on them. As can be seen therefore, it is only in 1991/92 that local governments experienced some meaningful forms of financial devolution. Note however that after 1992, the spending limits did not have to be tied to internal revenue efforts any more since this became unpopular among local government executives.

2.5.2.2 Primary Education Funding

Primary Education, whose responsibility passed unto a National Primary Education Commission was yet to create any breather for local governments. Funds for running this function were deduced at source for the Commission. This, rather than taking away the burden from the local governments had depleted their resources the more, as local governments contributed about 80-85% of the funds needed to manage this function. (ODA Report, 1996). Furthermore, because of the initial inflated submissions on number of Primary School teachers made by states on the onset of the Commission, this had come to be used against them at the level of deductions. Moreover, urban local governments with more schools and more teachers since then suffered more deductions than those with fewer schools. This left them with miserable sources for running normal local government programmes.

2.5.2.3 State Control

The Department for Local Government in the Military Governor's/Administrator's Office which replaced the erstwhile Ministry of LG during this period remained the agency for control especially in budgetary and financial matters. Their influence was even most noticeable where local governments were managed by a Sole Administrator or Caretaker Committee. Such controls of local governments were the direct opposite of the autonomy local governments ought to have enjoyed. The Department still retained the traces of the power of the Ministry despite the fact that its powers were greatly reduced by the 1988 declaration on its status.

Finally, the Local Government Service Commission continued to exercise control over staff matters, i.e. personnel matters of the unified service. Only in 1992 was an attempt made to devolve senior staff matters to local governments but this became short-lived for reasons of political victimization and jeopardizing of job security (including non-payments to pension staff of local government).. They claimed that the protection they had always needed to exercise powers over financial and other professional matters had not been given by the Commission. Instead the Chairmen of local governments were encouraged to act ultra vires in such financial and professional matters. The actions of career staff in this case were always neglected. Autonomy was therefore subverted even in internal administration.

2.6 Decentralization Between 1999 – 2003

2.6.1 Provisions of the 1999 Constitution on Political and Financial Devolution

The 1999 Constitution addresses both issues of political and financial devolution. These were meant to establish and reinforce the third tier status of local government. The maior issues of political decentralization address democratic leadership and the other provisions of section 7, provisions on creation of additional local governments and electoral provisions. Financial devolution had to do with the issues of the Joint Account and other institutional arrangement for funding local governments.

2.6.1.1 Provisions on Political Devolution

(a) The most important provision on local government is in section 7, which states as follows:

> The system of local government by democratically elected local government council is under this constitution guaranteed; and accordingly the government of every state shall, subject to section 8 of this constitution ensure their existence under a law which provides for the establishment, structure, composition, finance and function of such councils. (Federal Government Printers, 1999).

This provision became the source of strength of the state governments on local government matters because local governments are subordinate government created and regulated by the state. The source of clash with federal authorities over local government derives from this section, so also does the source of control and interference over local government administration, despite the democratic clause.

(b) Electoral Provision – Section 7(4) defines who shall vote and be voted for at local government election. Section 197(1) provides for a state Independent Electoral Commission whose functions (as contained in the third schedule) are:

i. Organise, undertake and supervise all elections to local government councils within the state.

ii. To advise the Independent National Electoral Commission on the compilation of voters register for local government elections.

We will discover that the states have made little effort in this direction but is an asset to the states in terms of controlling electoral fortunes in local governments.

(c) Creation of New Local Governments – Sections 8(3), provides clear guidelines for going through this process. The guidelines involve stakeholders such as the State House of Assembly; Members of the House of Assembly, and the Local Government Council representing the area demanding the creation of the new local government area; the people in

the affected area in terms of (endorsement by 2/3 of them), and the National Assembly.

Provision for boundary adjustment are less strenuous than those for creation of local government (see section 8(4).

(d) Functions of Local Government – These are spelt out in the Fourth schedule of the constitution. These involve both mandatory and concurrent functions.

Ultimately, the question on local government operations or performance rests on how much and how well local governments have been able to perform these functions given the constitutional provision, especially the right supervisory role of the state.

2.6.1.2 Financial Devolution Provisions

The key provisions under these are as follows:

Section 7(5b) of the Constitution provides that each State House of Assembly "shall make provision for statutory allocation of public revenue to local government council within the state."

Section 16 2(b) mandates each state to maintain a special "State Joint Local Government Account" for all allocation from the Federation Account and the State Government) to the Local Government Council of the State.

Similarly, section 162(8) empowers the State House of Assembly to decide the formula for allocating funds from the State Joint Local Government Account to the Local Governments.

All these provisions virtually strengthen State Governments over local governments both at an institutional and operational level.

However, the Constitution makes provision for local government funding arrangement at the federal level. Here, the National Assembly is empowered under Section 162(3, 4, 5, 6) to make provision for the statutory allocation of revenue from the Federation Account to Local Governments. Under section 162(3) the National Assembly has the power to decide how the Federation account is to be shared between the three tiers of government. So also in section 162(5) it has power to regulate how the Local Government share of the Federation Account is to be distributed among states.

Moreover, section 162(7) mandates the National Assembly to prescribe the proportion of state revenue that should go into the

State Joint Local Government Account for distribution to the Local Governments.

One can see that from these provisions, the National Assembly also exercises vast control over local government funds. It is this type of dispersal of powers of control over local government between the State and Federal governments that was partially responsible for the low level of performance of local government since 1999.

The rest of this section looks at how the provisions of the constitution were applied to local government and the consequences of this for the operation or performance of local governments during this period.

In assessing such operation or issues of performance, the key questions to ask are:

- What happened at the level of state local relationship?
- What happened at the level of management in local government?
- What happened at the level of financial management?
- What happened at the level of projects or service delivery?

All these will find assessment under our framework of political and financial devolution.

2.6.1.3 Political Devolution and Local Government Performance

In terms of performance, the critical issues to be addressed here are issues in Section 7 and 8 of the Constitution. Specifically, they relate to the democratic nature of Council, State control of local government and creation of more local governments. All these can find expression within the context of intergovernmental relations.

2.6.1.4 Intergovernmental Relations and Local Government Performance

The 1999 Constitution provides for a democratically elected Local Government Council. This is the much it says about democracy at this level. As pointed out earlier, decree No. 36 of 1998 provided the elaboration of the democratic clause. This decree provided for election into political offices in local government,

system of government, the role of the Executive and Legislature, tenure of office and impeachment procedures.

In spite of these, the operations of local government in the Federation, took a dramatic turn with the kick off of the civilian administration in May 1999. Since the Constitution vested the power to make laws on local government on the State House of Assembly, most Assemblies chose to ignore or sidetrack the provisions of the decree and came out with their State Laws on local government. Such laws spelt out the structure, composition, powers, functions and operations of local governments including their financial management systems (Government Printer Katsina, 2000). Local governments that still wanted to behave as if they were under the military, soon realized that they could rapidly incur the fury of the state government if they deviated from the Law and the new environment. This was a way of stamping their authority on local government. Even the erstwhile Federal-based instruments like the Financial Memoranda and the Approved Scheme of Service for Local Government Employees became relevant only to the point where their applications did not come into clash with State Laws on Local Government.

Democratization of Councils became a sensitive issue, not just in terms of the party in power at the local government level but the tenure of these Councils. Since the Local Government elections predated the other State and National Elections, the fortune at this level was in some States inversely proportional to the party at the State and Federal levels. For example, in States like Kebbi and Zamfara, and Jigawa, there were more Councils that were controlled by the opposition party in the state than the party in power. These were considered irritants to the system by the State Chief Executives and right across the country, there were attempts made to short circuit their tenure by either dissolving or suspending them at the slightest provocation. Another strategy was to get the State Assembly to peg their tenure at 2 years while the National Assembly threatened to review this to 4 years. The States finally succeeded by getting the Supreme Court to pass a judgment in their favour in 2001, which led to the eventual dissolution of Councils by the States. Since then, no election had been conducted into local government councils during that period. This was a negation of

political devolution as it threatened the existence of local governments.

Throughout this period, there had always been tug of war between the States and the National Assembly over the constitutional interpretation of ownership and control of Local Governments. Apart from the tenure case above, there were other issues such as

a) The rejection by the State Independent National Electoral Commission (SIEC) of move by the Independent National Electoral Commission (INEC) to conduct local government elections; (New Nigerian Newspaper June 10, 2001).
b) Thirty six State Speakers versus National Assembly at the Abuja Federal High Court over alleged usurpation of their powers of the Senate; (New Nigerian Newspaper, May 8, 2001).
c) Nigerian Union of Local Government Employees (NULGE) planned show-down with Federal Government over suspected move to abolish Local Government (March 2003); (Vanguard Newspapers, March 21, 2003).
d) Federal Government appointed a Committee to review the structure of Local Governments in Nigeria (June 19, 2003); (Guardian Newspapers, March 21, 2003).

On the other hand, some state governments had dissolved or suspended councils along the line, for a host of reasons, principal among which were mismanagement of funds, corruption, threat to peace, confrontation. For example, in Kaduna State, eleven local government chairmen were suspended for financial misconduct. (NNN, May 23, 2000). In Zamfara State, the Governor in May 2001 suspended the Tsafe Local Government Chairman after a probe conducted by the State Assembly, which supporters of the Chairman described as "vendetta by the APP controlled House." To them he was sanctioned for daring to stand up to the Governor from an opposition PDP platform. (New Nigerian, June 25, 2001). In the same manner, the then Deputy Governor of Bayelsa State threatened to deal with "any Local Government chairman found to have misappropriated public funds... in accordance with constitutional provisions". This was after his assessment tour to verify the performance of local government chairmen. Earlier on, Report on a Staff Audit just submitted to the State Government had indicted most local government chairmen for misappropriation of funds.

(NNN, June 24, 2001).

The story on threats and sacks by State Governments of Local Government Councils and Chief Executives were prevalent, everywhere, but the common reason was financial misconduct. More on this relationship will be highlighted under the section on financial devolution.

2.6.1.5 Creation of Additional Local Governments

One important issue in political devolution is the creation of additional local governments. Relying on Section 8 of the Constitution, State governments undertook some reckless creation of local governments. This was despite the fact that the National Assembly refused to recognize these new local governments, even for revenue sharing. At the heat of the creation exercise the Federal Attorney General pointed out that it was illegal to fund the new Local Governments from the Federation Account. The States however relied heavily on the resource base provided by the State Joint Local Government Account to be able to fund these new entities. In an appraisal study carried out on Local Government under the Fourth Republic, it was discovered that statutory allocation from Federation Account constituted 90% of the fund base of new local governments while other sources included Special take-off grants by the state government; donations and internal revenue. Initially some States funded the new local governments from the funds accruing to the parent local governments, but eventually, both old and new local governments started drawing from the Joint Account using the same formula. (Department of LG Studies, ABU Zaria, 2003).

The following table is a summary of new Local Governments created between 1999 – 2003 in States of the North West geo-political zone:

S/N	States	No. of old LGs	No. of new LGs	Total
1.	Jigawa	27	40	67
2.	Kaduna	23	46	69
3.	Kano	44	-	44
4.	Katsina	34	30	64
5.	Kebbi	21	20	41
6.	Sokoto	23	-	23
7.	Zamfara	14	20	34

* Note that in November 2003 three other local governments were created in Zamfara State bringing the total of new local governments to 23 and total number to 37.

States in other zones had gone ahead to create local governments. For example, on the eve of his departure, Governor Bisi Akande of Osun State created 16 more local governments. We also know Governor Daniel of Ogun State abolished the new local governments created by his predecessor when he assumed office.

In his address to the nation on the need to reform local governments, President Obasanjo had observed that 500 new local governments had either been created or were being created nationwide. (Guardian Newspaper June 19, 2003). Apart from funding problems, the criteria for creating these local governments were not clear. Taking the population criterion, it was difficult to see how these new local governments met the 100,000 population requirement for the Dasuki Report. In a data collection exercise for the Technical Committee on the Reform of Local Government, no local government nor Ministry for Local Government could give us the population of any of the new local governments. The question then is on what basis were they created? Even the issue of viability was not upper most in the minds of the creators of these local governments. The exercise was done largely for political reasons. In a lot of cases, the steps required by Section 8 of the 1999 Constitution were not followed and that was part of the reason why the National Assembly refused to recognize them. Summarizing this section, intergovernmental relations was not in favour of political devolution since councils were not democratically reconstituted, New local governments were not created for reasons of viability but for political reasons and the fact that there was serious encroachment on council leadership by the State government through sacking, dissolution or suspension. Councils were not allowed to make mistakes and learn from them.

2.6.2 Financial Devolution and Local Government Performance

The Constitution guarantees a continuous flow of funds to local governments from the Federation Account. It did not only create a formula for doing so but an institution where these funds are channelled through. While the formula could be reviewed as the

need arose, the institution was not subject to similar review unless the National Assembly deemed it fit. The problem with local government finance over this period rested not so much with the formula for allocation nor the volume but the mechanism through which it was channelled. Secondly, another problem area was how these funds were managed at the local government level. Let us look at these areas and the problems associated with them.

2.6.2.1 The State-Joint Local Government Account

The Joint Account was supposed to hold all statutory allocations from both the Federal and State governments (including VAT). This would include precisely 20% of revenue from the Federation account and 10% of States internally generated revenue and amount accruing to local governments from value added tax and other Grants.

Most State Governments did not create this Account in the first year of their administration but as the idea of the creation of more local governments started gaining momentum, State governments hurriedly created the Joint Account to facilitate a more coordinated sponsorship of these new local governments.

There was obvious and tacit abuse of this institution just as it happened between 1979-83. (Odoh, 2002). Such abuses came in form of varied and sometimes illegal deductions, and using the fund to sponsor party and electioneering activities. For a good number of States, it came to serve like a stabilization fund for the State government.

In terms of deductions, one or two examples can be cited. In one of the states of the North West, for example, the deductions were as follows:

2% for common services.
5% for emirate councils
3% for secretariat
1% for training fund.
2% to buy vehicles for local governments.
2% to buy Thuraya phones for all local governments.
2% to buy and maintain electricity transformers.

Items crept in and out when the need arose. It should be noted that the Statutory deductions are normally for Training, Pension and Common services.

Many States behaved similarly. In some other states, there were extra-budgetary impositions on local governments such as additional burden on the funding of secondary schools, central purchase of fertilizer on behalf of local governments, tractors and ALGON police vans, etc.

By the time these percentages are taken out of local government allocation, signs of stress on planned expenditures would begin to manifest.

One consequence of the abuse was the starving of local governments of the required funds with which to operate their normal budgetary expenditure. During the elections in particular, stories abound as to how state governments virtually restricted local government chief executive to payments of salaries only. With caretaker committees, local governments ceased to know how much they were entitled to from the Joint Account. In Kebbi State for example,

> the State Joint Local Government Account was controlled by the State Ministry of Finance and Economic Planning. The Ministry allocates monthly statutory allocations to each local government in the state without input from the Ministry for Local Government. So also, the local government councils were never involved in the sharing of these statutory allocations from the Federation Account. (Technical Committee Report, 2003).

This paints the ugly picture of how this account can be badly managed. This is also to buttress the fact that democratic leadership in local governments is of vital importance because it can ask questions and make the state agencies accountable on this Fund. Caretaker Committees were just appointed by the State as stop gap so they dared not ask questions about the quantum of money in the Account and the basis for allocation. This situation was a serious indictment on accountability and even devolution.

2.6.2.2 Internal Revenue Capacity of Local Government

During the period 1999 – 2003 the picture of low internal revenue effort of local governments (just like in other periods) had been the vogue. In an appraisal study, earlier referred to, (Technical Committee Report, 2003), it was discovered overall that local governments in all the 7 States of the North West geo-political zone, had not been able to raise 5% of their total revenue. Not more than two local governments were able to raise 10% of their revenue in any State. In Katsina State for example, the aggregate for four years (1999 – 2003) ranged from 0.44% in Sandamu to 3.2% in Charanchi Local Government Areas. This meant that over the 4 year period, no local government could, on the aggregate, raise more than 3.2% of its total revenue. One should then ask the basis for viability that could even encourage the wanton splitting of these units, if not for political purposes.

It must be pointed out that in that study, it was found out that Statutory allocation from Federation Account on the average contributed 93%, followed by VAT, then internal revenue, while statutory allocation from the state government took the rear and for some states, they never contributed at all.

2.6.2.3 Volume of Revenue

There is ample evidence to show that the volume of funds that have flowed into local governments during the period 1999 – 2003 was enormous. Speaking at the launching of the Global Campaign on Good Governance on April 10th 2001, President Olusegun Obasanjo, observed that inspite of the 400% increase in their monthly revenue in the last two years, local governments had failed to make the desired impact on their communities. He classified them as having failed. (NNN, April 11, 2001).

We can demonstrate this increase in volume of fund by looking at the mini case of three local governments in Gombe State, in the table below.

Table 2.5: Total Revenue of three local governments in Gombe State (1999 – 2001).

Local government	**1999 =N=m**	**2000 =N=m**	**2001 =N=m**
Gombe (Urban)	143.8	335.9	436.9
Akko (semi urban)	181.1	298.3	484.1
Billiri (Rural))	117.6	219.8	252.4

Source: Data collected from an Appraisal study, 2002.

There is apparent evidence of increases in the volume of funds for each local government irrespective of its classification. The greatest jump had been between 1999 to 2000 for Gombe and Billiri while for Akko local government, it is between 2000 – 2001. The allocation for Gombe between 1999 for example was more than 100% while other local governments recorded not less than 80%.

The cumulative picture of this for all local governments in the Federation is what the President referred to above. Indeed, such volume of allocation had evoked fundamental comments from the ***"Analysis"*** Magazine when it observed on three local governments from the East, North and Western part of the Federation thus: For example, in Abia State, the Aba South Local Government received the sum of N42,108,895.84 in January, N44,688,118.89 in February and N69,622,733.51 in March. This gives this local government council a total receipt of N156,419,747.77 in only three months from the Federation Account alone. This local government had less than 1000 staff on its payroll, assuming that the elected council appointed new staff. In fact, according to the ***Local Government Year Book, 1998,*** published by the Presidency, the Aba South Local Government had just 665 staff of all categories by 1998.

If we take another local government, Yola South, from Adamawa State, the picture was very similar. This local government received the sum of N27,097,084.98 in January, N28,898,721.36 in February and N45,681,488.82 in March. This gave this local government a total allocation of N101,677,295.16 in just three months. The staff on its payroll was 836 in 1998.

The Ajeromi Ifelodun of Lagos State is another good example to cite. This Local Government Council received from the Federation Account the sum of N67,561,452.34 in January 2002, N68,279,614.90 in February and N100,930,188.54 in March. This gave this local government council with a 1998 staff strength of 504, a total allocation of N236,771,255.28 in just three months. The question is what happened to this volume of money?

2.6.2.4 What have Local Governments done with the Money?

This is exactly the question the Technical Committee set up by the Federal Government on the Reform of the Structure of Local Government in the Federation (2003) was supposed to address. The issues of viability and efficiency were uppermost on the agenda.

. Addressing the nation on "the Need for Local Government Council Reform", President Obasanjo described the performance of local government as follows:

> ...what we have witnessed is the abysmal failure of the Local Government system. It is on record that at no time in the history of the country has there been the current level of funding accruing to the Local Governments from the Federation Account, yet the hope for rapid and sustained development has been a mirage as successive Councils have grossly under-performed in almost all the areas of their mandate. (Guardian Newspapers June 19, 2003).

This underperformance can be traced to both external and internal factors. Externally, the creation of more local governments and the increased clamour for more, constituted a large stress on local government funds. Internally, the available funds were used to "service bloated elected officials". In this connection, the President continued.

> Apart from the palpable mismanagement and misapplication of funds, currently witnessed in most Local Governments in the country, all the proposed new local government areas when created will share from the same revenue base available to the existing local government areas in each state. The resources available which otherwise should be used for development programs at the grassroots, are being used to service bloated elected officials and unproductive bureaucracies.

The external issues in non-performance have been addressed earlier on in this lecture. Let us highlight more of the internal issues. This flows from the comments on volume of revenue above.

2.6.2.5 Expenditure Patterns of Local Government

As the President rightly observed, a lot of local government funds went into expenditure on personnel. In a study carried out for the Technical Committee on the Review of Local Government, it was discovered that on the average, local governments spent more than 75% of their revenue on Recurrent expenditure while the

balance went into Capital. (The only exception to this was in States where there was standing policy directive as to what the formula for allocation to both expenditure heads should be. This we only found in one state). In some states, there were local governments that did not commit up to 10% of their revenue to capital expenditure. In Jigawa State for example, the figures of 2002 showed that 6 out of the 27 local governments did not commit up to 10% of their funds to capital expenditure.

There is however evidence to show that more money was allocated to capital vote between 1999 and 2001 when the elected leadership was on ground than in later part of 2002 – 2003 when leadership became appointive.

Even though local governments budget promoted more of recurrent expenditure, the content of this expenditure showed that 60% of this went to pay staff remuneration (personnel cost) while 40% went into overhead cost. In some states the ratio was as high as 55:45. What this suggests is that apart from committing much to salary payment, the maintenance or running costs in local government had been rather high and unacceptable. Perhaps one could say that monetization could be a panacea to such unbridled expenditures.

Furthermore when we look at Personnel cost closely, we discover that a huge part of this went into servicing what the President referred to as a "bloated elected official". We did some costing for a local government with 12 Councillors, a Chairman, Vice Chairman, 5 Supervisory Councillors, 6 Special Assistants, 5 Aides. Going by the average monthly salary of N110,000.00, the 30 political staff were to draw N39,600,000.00 per annum. This is outside allowances like constituency, vehicle and housing, security, which run into many more millions, all charged into personnel costs. When we consider the fact that the number of Councillors range from 10 – 16 per local government in some states, we would appreciate how much went into supporting these elected officials from local government coffers. This is not to overlook an area of expenditure like that on wives of chairmen and their projects. For the administrative staff, their ranks were swollen by wanton employment by politicians who did not want to respect recruitment procedures. So also the issue of ghost workers had been a threat to local funds.

2.6.2.6 Projects

Projects in local government are a fall out of capital expenditure allocation. Since capital vote of local government is low because of threats from recurrent expenditure, not very many viable projects are executed in local governments. Even with this low level capital funds, other threats like flouting of contract award procedures, shoddy implementation of projects and the role of the local party apparatus in contracting in local government, all work against the quality of such projects.

Nevertheless, local governments during this period undertook projects ranging from as low as N50,000 to N5 million with a few exceeding this unit. Projects ranged from minor works like construction of culverts and drainages to construction of roads and secretariat. There are also supplies, renovation and completion of existing/outstanding projects. Many of such projects roll from year to year so it is sometimes difficult to ascertain the exact cost on the ground. Projects are also sector based, like water supply in health, seed multiplication and tree planting in agriculture, building of mosques in social welfare and renovation of primary schools in primary and adult education.

There was however evidence that the cost of the project in a lot of cases far exceeded the worth of the project on the ground, a pointer to likely corruption.

2.7 Decentralization Beyond 2003

The story of decentralization beyond 2003 has not changed radically. The only thing is that sanity has been restored to the attempt to create new LGAs. Most of the States have reverted these decisions and labelled them as Development Areas. These Development Areas have been under-funded and not much is done to rescue them. Their type of subvention has not helped service delivery. What can an institution like a Development Area do with one million naira a month?

The initial turbulence that greeted the first 4 years of the fourth Republic in terms of the system of government/leadership at LG level has tapered. Each State now has a LG Law and the LG system has now settled and elaborating in these states. However, the core problems highlighted between 1999 – 2003 still remain while some of them are worsening. Conducting Elections into LG

Councils has become a problem for State Governments. In certain cases, legal actions are threatened or even taken before some states comply. Others only respond with intense public opinion and political pressure. A lot of the States are impevious and adamant as the seek to enjoy their leverage over the caretaker system. Where elections end up being conducted, in most cases, the party in power ends up controlling the entire local governments in its jurisdiction. Local Governments are still seen as providing political base for the state government rather than a development base.

The Constitutional provision on the Joint Account continue to threaten the existence of LGs, irrespective of whether LGs are democratically constituted or not. What ends up in LG coffers continues to fall short of what can run local government administration, capital expenditure apart. In my interaction with a Chairman recently, he informed that the amount that comes into the LG presently does not even suffice for sharing. Pointing at the population of visitors waiting to see him, he declared that that was just a sample. Normally at the end of the month, he sits down with his kitchen cabinet and 'shares' the money according to recurrent commitments of the LG, *meeting of needs (welfare) of visitors, taking care of his own staff, self and his colleagues.*

The cry over lack of autonomy and subsequent lack of productivity of LGs is rending the air, up to the National Conference currently going on in Abuja. State governments have not allowed any legislation to restore autonomy to LGs through the abolition of the Joint Account. The politics is on but the masses are suffering while LG is loosing face and image. Something drastic has to happen if LG should have a future in Nigeria.

2.8 Assessment of Development Performance (Service Delivery) of Nigerian LGs

Following from the theory of decentralization, devolution of powers (autonomy) engenders greater capacity for Service Delivery while deconcentration (control) lead to lesser capacity for service delivery. Devolution helps to build capacity and stimulate local initiative and decision making especially with democratized structures. Local Communities would be properly drawn into the decision making and planning process and local energies and resources would be properly mobilised. Deconcentration is largely

an institutional delegation of authority with strong centralising tendencies which threatens the transfer of power and authority to LGAs, and hence less tendency for service delivery.

2.8.1 Assessing Achievements or Performance

It is very difficult to put the achievements of local government in a prose form. There are however different ways of assessing achievements or physical performance.

One way is to look at the functional schedule of local government and measure to what extent each has been performed. Another way is to look at the plans of local government and assess them in terms of implementation according to the time frame and the projects.

Yet another way is to look at a local government capital budget and assess how much of the projects and services that are targeted have been implemented. One can also look at the chairman's annual address on achievements in his local government and get a feel of what the local government has been able to do. These are various sources and yardsticks, and many studies and evaluations carried out on local government's physical performances draw from these sources. The rest of this section comments on this and brings out some examples to support level of achievements.

In Nigeria the exclusive or mandatory functions of local government have lagged behind the concurrent functions. Remember the first function under the mandatory is planning. Local governments have not taken the issue of planning very seriously. They engage in perfunctory planning but they sooner or later jettison the document partly because of the instability in local government leadership. The incoming executive does not always believe in the efficacy or relevance of the plan he meets on the ground, so he avoids it. Some chief executives do not even believe in plans as they feel the straight-jackets of plans do not support their own objective or attitude to development.

The other mandatory functions which are largely revenue generating do not receive considerable attention either. Apart from markets and motor parks, community tax and collection of rates on shops, kiosks and business premises, the very lucrative ones like radio and television licensing and property rating do not appear to be exploited. Infact most local governments in rural areas rely on

markets as their major source of internal revenue. In the same vein, services like roads, naming of streets, street lighting, recreation, sanitation and burial grounds and cemeteries are not given the right priorities.

On the other hand, local governments concentrate on the concurrent functions of agriculture, health, and education where the tendency for expenditure is higher. They do not emphasize revenue generation because it is 'painful' exercise. They prefer to wait for the monthly grant from federation account to pay salaries and pay contractors for projects. Local governments do more of expending than generating. This is one of the biggest problems of local government in development today. When politicians campaign, nobody asks them about where they are going to get the money to deliver on their campaign promises. The answer is of course from the federation account. There is almost a zero initiative about transforming the rural economy in order to expand the wealth and tax base which in turn will provide adequate funds for local administration.

So, the vibrant departments in the local government are Primary Health Care, Education and until recently and Agriculture.

Primary Health Care is implementing the National Primary Health Care policy and therefore it receives additional funding or assistance from the federal and state governments and even international donors from time to time. In local governments, the UNICEF assisted programmes on capacity building and service delivery are evidences. The Bamako Initiative had also been a big project of the International agencies and the Federal Government. Local governments build rural health facilities, equip them and staff them. The problem has been the sustainability of the drug flow.

Primary education was hitherto a program of local governments but the National Primary Education Commission had taken them over. Remotely, local governments still control this because deduction of teachers' salaries is made at source from their account. This has thrown many local governments into indebtedness.(This is the source of the 'zero allocation' that has hunted LGs for sometime). The Commission built schools, so did local governments. Both bodies equip them. The local inspection and coordination however rests with the Local Authority Education

Committee of which the chairman of the local government is still the head.

Agriculture is not as vibrant as the other two sectors. Most of the activities associated with agriculture are fertilizer procurement and distribution, farm inputs, seed multiplication, tractor hiring and forestry. Serious moneys are not committed to this sector. Fertilizer appears to be the most vibrant activity in a lot of councils especially in the North. Animal husbandry is also an activity that is promoted. Tractor hiring is important especially for populations in the North because of the suitability of the land for mechanical ploughing. Donor Agencies including the World Bank have however lifted the face of Agriculture in LGs.

In terms of rural works, local governments can boast of attempts to provide trunk C roads, culverts, drains, building of markets, motor parks, small scale irrigation works, boreholes and wells, television viewing centres, staff houses, district head house, latrines and a few demonstration farms. These they do with great financial constraints and bad management practices.

2.8.1.1 Rating of Local Government Functions in the North (1977)

In 1977, a research was conducted into local governments' functions and how LGAs assess their performance in some Northern States.(Aliyu:1980)

The following table rates these functions as per the 1979 reforms and their performance.

Table 2 Functions reported to be one of the five receiving most importance by Local Governments: 1979 (N=138)

Function	Average rating by LGAs (%)ranked in top five
Education	88
Agricultural services	74
Collection of local taxes	61
Medical services	48
Rural and semi-urban water supply	46
Community development	33
Road construction and maintenance	31
Maintenance of law and order	28
Markets and motor vehicle parks	21

As pointed out in the general performance above, one can easily discover that the concurrent functions are high on the list. These are Education, Agriculture and Medical and health services. Collection of taxes was pursued then because community and cattle

taxes were still very viable sources of revenue and the statutory allocation factor had not yet been institutionalized in local government.

Note however, that a great percentage of the local governments rate the first three services high among the services they provide.

Other examples with service delivery are presented in the next part where I showcased some of my contributions to the subject matter.

Part III

My Other Major Intellectual Contributions to the Subject of Decentralization in Nigerian Local Government System

3.1 M.Sc. Thesis on "Impact of Oil Revenue on Local Government Finances (Odoh, A. 1983)

This study was done to find out the relationship between increasing oil revenue as projected by the Federation Account and the share of Local Government Revenue from this. Second, to find out whether the allocation to LGs increased their capacity to provide services. Third whether the dependence on oil revenue which dominated the external sources of LG revenue (statutory allocation) affected the local revenue efforts of local governments. The study found out that oil revenue had contributed immensely to financial allocations in LG even though the fluctuations in oil revenue was also noticeable in the flow and quantum of statutory allocation. Indeed the allocations were in a number of cases not regular and timely and therefore affected recurrent and capital activities of local government. Second, oil revenue created a lull over internal revenue efforts in LGs. This source was neglected because of over reliance on statutory allocation which created problems for financial autonomy in LGs. It was recommended that in order for LGs to feel derive sustainable benefits and impact from oil revenues, the following should be done:

i) Maintain the revenue allocation formula as it was but states should be made to contribute their share to LGs;
ii) Enlarge the internal revenue base of LG by introducing traditional areas of taxation and removing the primary education burden from LGs;
iii) Revolutionalise the present revenue allocation system to ensure better financial devolution in favour of LGs.

It would be recalled that eventually, the federal government policy on LGs, continued to review the revenue allocation formula in favour of LG and removed primary education from the direct management of LG.

3.2 The Future of Local Government in Nigeria (Odoh, A; 2001)

This was an essay in honour of the military and the development of local governments in Nigeria. The military had carried out various reforms on local government in Nigeria right from the experiment of Development Administration in Nigeria (deconcentration) to the famous 1976 Reforms of Local Government in Nigeria that not only divorced traditional political authority from Local Governments (thereby modernizing LGs) but also introduced uniformity and standardization in the structure and operations of LGs nationwide. They later-on provided for LGs for the first time in the Constitution (1999) set-up the Dasuki Committee in 1984 and Nwosu Committee in 1987 to propose reform in the LG system, conducted more elections in LG than the civilian administration, introduced the Presidential System of government into LG administration, reviewed revenue allocation to LGs, restructured the responsibilities for primary education, carried out administrative reforms to increase the capacity and autonomy of LGs, established the Joint Account, replaced and then reintroduced it. All these were in an effort to devolve more powers to LGs to operate. Knowing the antecedent of what happened under the Civilian administration of 1979 – 83 where elections could not be conducted into LG councils for those four years and where LGs were highly politicized, the paper could not but succumb to the nostalgia of the military exploits in LG and what laid ahead from a not-too convincing civilian administration's attitude to local governments. Our fears have been continually being confirmed up till the present.

3.3 Revenue Generation in Local Governments: Towards a Developmental Approach (Odoh, A; 2001)

This paper aimed at discovering and proposing ways to build the revenue capacity of local government to improve its level of financial autonomy to predispose it to better service delivery in the light of a lethargic approach to local revenue generation. The

principle of multipurpose finance which specifies the role of LG in the intergovernmental fiscal maze was used to understand the subject matter. The contribution of this paper laid in the prescribed developmental approach which emphasized planning, research, generation sources and strategies, investments and direct intervention in rural economies to expand the taxable resource base of communities and to make taxation more socially functional and attractive. All these must be structured within the right constitutional, legal and institutional framework for any appreciable success.

3.4 Assessment of Existing Human Resources for Supporting Development Action in Nigeria's Local Governments (Odoh, A. 2001)

Capacity for action depends on the resources available to LG. One of such critical resource is human capacity and the ability to use such capacity to mobilize other resource within the LG, the communities and other social capital to deliver services and improve management at the LGA level. This paper was an outcome of a UNDP study conducted in 1997 – 98 which generated empirical data from LGAs on their State of capacity for decision making management, service delivery. The findings point to the fact that the quality of staff rather than the quantity was the problem with LG. As a result, quality decisions and their implementation suffered from such deficient manpower. Conspicuous gender gap was noticeable in the staffing of senior staff of LG especially in the decision making units and levels. More of women staff were in education and health. It was recommended that this gap should be systematically bridged as more qualified females should be encouraged to join other units. That for a more effective human resource and institutional development, capacity building at the LG level would have to target such areas of capacity needs rather than the usual uncoordinated training that goes on from time to time.

3.5 Federal Financing of Local Government in Nigeria: Trends and Prospects (Odoh, A; 2002)

This paper reviewed the trends in federal financing of LG from grants in the mid seventies and then statutory allocation from the eighties. This contribution to LG finances had varied from 60%

to as much as 95% in terms of FG total share of LG total revenue. Primary Education had threatened LG finances over time consuming on the average 80% of total LG funds. The FG devised various ways of dealing with this issue in such a way that this burden would be reduced in order to free resources for other developmental functions. The dominant role of federal government in the financing LGs had created a lackadaisical attitude on the part of States and LG to their own financial obligations to the institution. With the noise over true federalism, the prospect of the federal government continuing with the same momentum was becoming unrealistic. The States should be ready to assume full responsibility for its LGs and consider federal intervention in LG finances as more of a constitutional requirement rather than the political strategy during the military. Devolution will not be meaningful if the momentum is not maintained.

3.6 Local Government Autonomy since 1985: Trends and Problems (Odoh, A; 2004)

This paper took off from the premise that autonomy is a pre-requisite for effective decentralization. It addressed the issue of LG autonomy and its vicissitudes over time employing variables like administrative control, finance and democratic bases as basis for analysis. The paper employed quantitative and qualitative data to demonstrate that LGs ironically enjoyed greater autonomy under the military than civilian administration especially between 1988 and 1993. The multiple reforms under the Babangida administration promoted this, compared to what was presently experienced from 1999, and there was the genuine fear that given the trends of event under the Fourth Republic, a bleak future was a very likely possibility because the paper discovered that whatever autonomy the military left behind was being eroded constitutionally and politically.

3.7 The State Joint Local Government Account: A Viable Mechanism for Fund Allocation! (Odoh, A; 2002)

The State Joint Local Government Account (SJLGA) is a constitutional provision that pooled all statutory allocation to LGs. Such funds were channelled through such Account to each LG. It had its problems in the Second Republic when it was first tried. The military had to suspend the arrangement when they took over power

and at a point introduced "direct funding" into each Unit LG funded direct from the Federation Account. This was a response to massive interference by States in this Account. The Joint Account was hurriedly introduced into the 1999 Constitution at the exit of the military which analyst said as a disservice to effective financial devolution. The paper discovered that the Account was a disservice to LG autonomy and service delivery mechanism. It had become a political instrument and not a viable mechanism for fund allocation. The options were either to modify the Joint Account to bring in better checks against its abuse or resort to the option of direct funding.

3.8 Local Government and Democracy in Nigeria (Odoh, A; 2004)

The paper was premised on the fact that for LGs to experience meaningful devolution the democratic content and context of this institution would have to be emphasized. Reviewing democracy in LGs right from colonial times through the post independence era, the paper discovered that the democratic content of LGs improved in the post independence era. However, the military encouraged greater democratization in LGs than the civilians through series of reforms and the more numerous elections conducted for LGAs. The paper recommended that there was need for better political will and commitment and a constitutional review to support greater devolution in LGA, if democracy was to support greater devolution and improved services.

3.9 The Place of Research in Local Government (Odoh, A; 2004)

The paper highlighted the importance of research generally and in government. It however, noticed the low level of research orientation and activity in local government. This is moreso that the 1988 Reform of the Local Government Service introduced Planning, Research and Statistics as a unit in Local Government. The paper detailed out the importance of research and the areas of research in LG (part of which is effective planning and services in local government). The paper discovered that part of the reasons for low research orientation were attitude of leadership of LGs and the capacity and competence of staff to undertake such and the funding

support attendant to it. The agenda for research is myriad and there is the need for extensive research if LGs are to perform their planning, management and service delivery functions.

3.10 Local Government and the 1999 Constitution (Odoh, A; 2003)

This paper identified the areas of focus on LGs in terms of constitutional provisions on LG. This accommodated issues of establishment, the third tier status, boundary adjustment, and LG creation, funding and intergovernmental fiscal relations, elections and the schedules that listed the names of LGs per State and the functions of LGs. On the face value, the third tier status of LG which ought to have guaranteed effective delegation was guaranteed. The major disservice of the Constitution was the retention of the SJLGA which was a virus to destroy all the gains of LGs over the years and the third tier guaranteed by the Constitution.

3.11 Two books resulting from National Conferences on Local Government in the eighties were co-edited by this author. They were (Odoh, A; & Oyeyipo F. 1984) Local Government as Vehicle for National Development and (Odoh, A; & Oyeyipo, E; 1986).Government at the Grassroots Level in Nigeria

Both books contain articles on pertinent issues in Local Government administration and specifically addressed issues relating to the institution of local government, its historical review, issues of the structure, functions autonomy and control of LGs, funding, human capacity building and manpower development, traditional political institutions, community development and mobilization and service delivery. These address broadly issues of decentralization and service delivery. These books have provided a lot of reference materials to scholars and even this author especially during his Ph.D research. The materials therefrom are the disposal of my students and beyond. The Federal Government had used the outcomes of such conferences to influence, modify or change policies.

3.12 How Local Governments operate in other Countries (Odoh, 1987)

This Mimeo compared the workings of local governments including the issue of decentralization in some federal and unitary systems of the world. They include the United States of America, Britain, France, Japan, China, India, Tanzania and Nigeria. It found out that for the advanced countries, irrespective of the level of decentralization, democracy had contributed to service delivery. There was high level of capacity, high level of efficiency, well funded local councils and efficient service delivery. Such LGs were highly accountable. The Indian situation also showed fairly good example of devolution as village, district and local government level. Administration operated with adequate democratization accountability and service delivery. Tanzania showed situation within an LDC where ideology and local democracy governed the success of decentralization at the local level. Once the ideology started faltering, local democracy was impaired and so grassroots mobilization and development suffered. Nigeria, irrespective of constitutional provisions and institutional and political reforms, has not been able to experience any meaningful devolution and development at the local level.

3.13 Research Findings on the Capacity for Service Delivery in Nigerian Local Governments (Odoh, A. 1991)

One would have expected that with the theoretical premise that local governments' service delivery role ought to have flourished more under democratically constituted local governments than non democratic ones, we expected LGs to have performed better under the civilian administration than the military. Our findings over the years have shown to the contrary. First that devolution did not show any marked advantage over deconcentration in service delivery in Nigeria LGs. Second, that under the military run LGs with inconsistent autonomy, service delivery had more prospect under the military than civilian administration. Third, was a stunning finding that people preferred non-partisan politics (as in the military) to partisan politics (as in civilian administration) especially at the grassroots level. These findings/positions are contained in two papers/studies carried out by this author. The findings came out of a study conducted by the three

Universities responsible for training LG staff in Nigeria (OAU, UNN and ABU) in partnership with the University of Bourdeaux, France, 1988 – 1990:

The first paper titled "Local Government, Party Politics and Political Regimes" (Odoh: 1990) sought to examine the influence of party politics and regime types in the workings of LG structures in Nigeria. Findings were based on a survey research cutting across the geopolitics of the country and the findings were as follows:

a) in most of the regions and especially in the North the local authority became an institutional arm of the party in power to the extent that majority of party members became paid officials of Local Governments. Such politicization affected even routine LG decisions such as staff appointments which came to carry party colorations.

b) Local Governments were used according to Gboyega (1987) as an instrument of coercing political support.

c) The preoccupation of LG had been with political survival rather than service delivery under civilian administration

Responses from LG Officials

Results from the analysis from the point of view of LG officials show that:

a) Local Governments better deliver goods and services under the military than civilian administration (77 – 90% against 18.4%). Breakdown shows that the distribution was 71.5% agreement in the East, 87.9% in the West and 77.8% in the North.

b) Party politics had not raised the standard of administration in local governments compared to the military. (This was confirmed by a general opinion of 75.4%. The East recorded the highest vehemence of 80%, followed by 75.8% in the West and then the North, 71.9%).

c) Party politics is innocuous to LG and so should be kept out of LGs and restricted to higher governments. (At a general level, 62% of the whole respondents subscribed to the claim while responses from the East, West and the North show 77.1%, 54.5% and 58% respectively).

These responses showed that there was something fundamentally wrong with civilian regime and LGs. The politicisation of the institution had not allowed for effective decentralisation and largely saw the institution as an instrument of political control rather than service delivery.

The People

The people were asked to identify when they experienced more peace in their locality. 70.1% pointed out that military regimes provided more peace, confirmed by 73.3% in the North, 72.9% in the East and 57.6% in the West.

The other issue for the people was whether better performance of LG would result if councils were democratically constituted rather than a system of Management Committees. People were generally positive toward this, affirming this with 67%. When asked the method of fostering such democracy, the people frowned at party politics as a credible means. 58% of the people expressed their disdain for party politics with the strongest resentment coming from the East with 69.8%. The North followed with 55.3% while the West recorded the least resentment with 41.8%. For the opinions against party politics, the key reasons given was that party politics had been highly conflictual and divisive, followed by "worse leadership/performance," corruption and then victimization. They claimed that it was the divisive factor that slowed down development at the local level.

In another paper from the same study, titled "Perceptions Attitudes and Behaviours of Local Government Officials toward the People in Nigeria, the following conclusions were reached:

a) Local governments were survivalist institutions than mobilisation oriented. Most of their attention were directed on how to survive as an institution rather than directing their energies for community mobilization and developments.

b) More than half of the work of LG officials is restricted to the office and for the senior ones, trips to headquarters and other such engagements. Where they attempted to meet with communities, they only did so with their representatives, which was even rare.

c) LG officials still believed that the LG bureaucracy remains the most competent instrument to handle rural development

rather than through community based group – a firm belief in the top-down approach.

d) People are more involved in LG administration at the level of payment tax and other revenues and some support for community development. They are less visible when it comes to the democratic process and decision making at the local government level. This shows that LGs have been more extractive than distributive in their administration and no wonder the dearth of service and lack of trust for the institution at the LG level (Odoh: 1990).

All these point to weak devolution, weak democratic practices, weak capacity, low level of autonomy and a weak propensity to provide services. The issues here when weighed against their level of financial devolution warn us about expecting much in the area of service delivery from LGs.

Part IV

Towards Effective Decentralization For Development: (Current Thinking)

As an expert on Local Government for the World Bank assisted Fadama Project in Nigeria, there is a new thinking on engendering development at the Local Government level.

The thesis here is that decentralization should not stop at the official local government level. It must formally incorporate communities into the power sharing process. As things stand, communities are alienated from their LGAs, politically, socially and economically. Local governments are neither playing their political roles nor their socio-economic roles properly Communities are made to look like liabilities, while there is so much resource and energy in these communities. If LGs do not have capacity to harness them, communities and community based organizations can harness these by themselves. If LGs do not have the capacity, their capacities can be built by other partners in local development together with those of the communities. In this way LGs would have acquired the needed capacity coupled with whatever level of autonomy they enjoy to be able to deliver services. The closest they have come to support communities has been through Community Development (CD) but this has not been well organized and managed. Even their resource level has not encouraged them to provide this support in any meaningful way. Besides, their approach to CD had been largely top-down and does not allow for serious local community initiatives in needs assessments, and participatory planning and development, so, communities end up not learning much from the process. Direct Services provided by LGs to their communities and indeed projects have not been sustainable because no sooner are they delivered than they become non functional. LGs do not have eyes for sustainability and this is why their capacities must be built to realize that it is in their interest that development should not just be top down but bottom up. In this case, the bottom up refers to an upgrading of the CD approach to the contemporary approach of Community Driven Development (CDD). The imperative of this is that both communities and local governments need to be empowered and will

require transfer of powers to not just local governments but further devolution to communities. CDD then becomes an effective panacea for the fledgling decentralization in Nigerian LGs.

4.1 The Concept of CDD

CDD is community driven development. CD is Community Development. The truth is that CD is a Local Government way of relating with community even though by definition it is "the process by which the efforts of the people themselves are united with those of governmental authorities to improve the economic, social and cultural conditions of communities, to integrate these communities into the life of the nation and to enable them to contribute fully to national progress." (Maddick 1963:23). It only emphasizes inputs with little attention to needs identification and community planning and supervision. The concepts of ownership, functionality and sustainability are not built into these. LGs just support community project demands with little or no follow up. This is top-down.

CDD on the other hand is a new vision of enabling people to take their destiny into their hands. It is an approach that puts the community in the driver's seat of development. Communities set their agenda for their own development. Communities can take control over project decisions including management of investment decisions. (World Bank; 2002).

In addition, CDD is

i) a key to provide social and infrastructure services to organize economic activities and resource management to empower people to improve governance and to enhance security of the poorest.

ii) a mechanism for enhancing sustainability, improve efficiency and effectiveness and targets poverty reduction.

iii) CDD encourages partnership with demand-responsive support agencies and service providers.

CDD has become necessary because

i) billions of dollars in the aid of LDCs development mostly channelled through government and some NGOs have not produced results.

ii) World Bank Evaluation has shown that projects with community participation have succeeded.

iii) Evidence from Donors and NGOs also show that when the poor are empowered with resources and voice, it leads to sustainable development.

iv) In a study carried out by Narayan (2000) two key findings that emerged among others were the poor wants Organizations of their own so they can negotiate with government; Direct assistance through community-driven programmes so they can shape their own destinies.

v) CDD empowers people, expand people's freedoms, devolves control and decision making to the poor, gives voice to the excluded such as girls, women and children.

From the definitions and rationale for CDD, it is evident that these types of ideas, proposition, approaches and targets are a direct indictment on the activities of governments and especially LGs on their philosophy and approach to development and the inability of these institutions to reach the people with services talkless of identifying and meeting the needs of the poor and vulnerable. The strategy here wants to relate directly to the community through devolving powers and funds, organization, planning and management to local communities. CDD targets community empowerment because once communities are empowered, it takes away the pressures from LGs. With minimum support from LGs. the system of devolution would become more meaningful because services would reach communities and poverty would reduce. Democracy and governance would also start taking root with local communities. This is then the real essence of devolution.

CDD rests on five pillars viz: Empowering Communities, Empowering Local Governments, Realigning Central Government Functions, Improving Accountability and Capacity Building (learning by doing).

The first two require some explanation.

Community empowerment involves expansion of assets and capabilities of poor people to participate so as to control and hold accountable institutions that affect their lives. Communities can do their own needs analysis and plan their development and even seek

for funding support. Empowerment is about participation, funding and social inclusion.

Empowering LGs would require LG to provide the institutional framework (political, administrative and financial decentralization) in line with the principle of subsidiarity. Decentralization would make LGs more autonomous, viable and more responsible, having powers to act and taking charge of the development process. Local government's capacity in community mobilisation and participation methods and project management are enhanced.

CDD therefore seeks to make decentralization more meaningful in local government and hence increase governance and service delivery. This is what LGs have failed to do for as many years as they have existed. It is strongly felt that CDD can add value to effective decentralization at the local and community levels. It may also be necessary for some legal and policy constraints that work against the CDD in LG be removed or relaxed. This is policy related and such impact will have to be agreed by higher governments. There is need to step down this discussion to the practical level.

4.2 Examples of CDD Project

CDD is not just theory. The practice has demonstrated visible and fantastic results where it has been used. Examples of CDD Projects in Nigeria are largely associated with World Bank Projects. The most widely known has been the Fadama Projects especially the Second and Third National Fadama Projects; the Local Empowerment and Environmental Management Projects (LEEMP) the Community Based Poverty Reduction Project, and the Community and Social Development Project (CSDP). Other agencies like the UNDP and UNICEF have adopted the CDC approach. Perhaps it is useful to give an example with Fadama III project in order to illustrate the importance of CDD in the decentralization process.

4.3 Example of the Fadama III Project

The aim of Fadama III was to sustainably increase the incomes of the users of rural land and water resources. The partners on the Fadama III were the World Bank, Federal Government, State

Government and Local Government and Community. A memorandum of understanding was signed by the Bank and the Governments which committed each stakeholder to various responsibilities including cost sharing.

Structures of the Fadama Project were established at the National, State, Local Government and Community levels. At the National and State levels, they had coordinating offices while at the local government level, two structures, one for coordination (Local Fadama Desk Office) and the other (Local Fadama Development Committee) for approving Local Development Plans (LDPs) were established. The Head of Agriculture Department or his representative headed LFDO (as Desk Officer) while the Chairman of the LG headed the LFDC respectively.

At the community level, two structures were put in place; the Fadama User Group (FUG) and the Fadama Community Association (FCA). These groups were trained by the Project and assisted by a trained Facilitator to undertake a community needs assessment and based on that, prepare a Local Development Plan (LDP) to be funded by the Project. The LG was to ensure the screening of the LDPs (by LFDO) and the approval of the LDPs (LFDC) to ensure that they are sound, feasible, environmentally sustainable and do not conflict with LG plans. Thereafter the LDPs moved to the State level and the National and or approval, funds are released direct to the accounts of the FCAs and FUGs for implementation. At this stage the States and Local Governments preside over the release of cheques to the various groups. The Project ensures that the groups manage the funds themselves without interference. Both States and LGs do not interfere in their funding – they are not even signatories. Communities drive the process themselves and these monies are spent in areas such as implementation of their plans which could involve:

i. Small Scale Community owned infrastructures e.g. borehole and roads and irrigation, market stalls etc.
ii. Advisory services and input support (from registered consultants).
iii. Asset acquisition for individual FUGs and Economic Interest Groups (EIGs) e.g. garri processing machines, rice milling machines, palm oil processing, etc.
iv. Project management and monitoring.

Training and Capacity Building (CB) is done for community groups and at the local and state government levels so as to equip the staff with the capacity to understand the project and its requirements and effectively guide community groups in project planning, implementation, monitoring and evaluation in addition to project management skills. Specific training is also given in this agriculture, infrastructure and financial management and record keeping matters.

The commitment of LGAs apart from LDP approval is funding support. LGs are supposed to contribute N1m per annum as counterpart fund for running the LFDO and LFDC and supervising and monitoring visits to subprojects at community level. LGs are supposed to mainstream the Fadama subprojects into their plans and use the CDD approach to implement such plans. They were also, at the end of the fadama project required to take over the support for Rural Infrastructures created by the Project in the community. The World Bank and the National and State Coordination Offices organise supervision missions from time to time apart from their own Project Management and Monitoring Reports. These supervision visits to subprojects in the States and Local Governments have provided opportunity to assess the progress of the Fadama Project and have disclosed abundant cases of project successes and beneficiary satisfaction. Such visits have also highlighted problem areas while Action Plans are developed to address such problems. (National Fadama Coordination Office Report, 2002).

In the above Mid Term Report it details out a long list of "Summary of achievements in terms of FCAs and FUGs registered, trained, (range 52 – 55%). In terms of LDPs 50% were prepared, 87% approved, 27.5% fully implemented (at midterm) 72.5% ongoing. In terms of subprojects, 43.9% completed, 23.4% ongoing. For asset acquisition, 23.7% of FUGs acquired asset (i.e. 13,673 FUGs). For savings account, N115,414,952 had been mobilised into Fadama User Equity Fund (FUEF) Accounts nationwide. In terms of training for LG staff, 1,966 LGA staff were trained (65.5%). Note that at this midterm, 55.5% of Fadama fund had yet been disbursed nationwide.

In terms of outcome indicators, the following happened

i. Income of participatory Households: 75% of Fadama User households who benefit directly from project-supported activities have increased their average real incomes by at least 40% by 2013.

ii. Yields of primary agricultural products of participatory households increase by 20%.

On some of the supervision missions which I was opportuned to participate, in, the team was always able to verify the operations, maintenance and utilization of assets, infrastructures, farmlands, records and reports and group dynamics at community levels. These were very satisfactory and producing results. State Reports also confirm these. Communities were found to be in control of their projects. Infact fadama became the swansong of Community members including women FUGs. They claim they know no other government than Fadama or the World Bank, even though the World Bank would insist that the Fadama Project was only WB assisted. **Some claimed that it was in the era of Fadama that they started seeing LG officials in their community.** As part of their testimony a group from Song LG of Adamawa State, claimed that the Fadama had impacted on their members. With proceeds from their subproject, some members of their group had performed holy pilgrimage, some bought motor cycles and two bought buses for transportation and they had added two classroom blocks to their primary school. The story is replete in many communities.

Local government capacities have been built with regards to their personnel and the institution itself. Each LG is equipped with a set of generator and ICT facilities to be used for project purpose. In many of these LGs Project equipment were often borrowed to service LGs own activities. The LFDO appears to have developed a unique work ethic and better organised than the other officers in the LG.

Accountability is promoted in project management as the Desk Officer had to always account for monies release to it periodically before new administrative funding requests are made. In the same way, community groups need to account for subproject funds released to them in tranches, before the next tranche is

released. At the community level, meetings are held by FUGs from time to time to discuss project implementation and outcomes – a sort of feedback and accountability exercise. This is the idea of improved governance and social accountability at the Community and LG levels as part of the Principles of CDD.

So CDD and Fadama have promoted development at the local government at Community levels not just by introducing agriculture and social and economic development project as requested for and managed by communities, but has improved governance, responsiveness, responsibility and accountability at both levels. Where LGs can adopt such methodology in their approach to rural and community development, adequate capacity would have been built at the community level, which can also multiply and spread among community members. Communities would have been ready to take up more functions from LG and LGs would have been empowered to guide communities with more economical use of resources and opening communities to other sources of credit, including development partners. This is the true decentralization for development. With community empowerment, community participation in politics will also increase and their voices will be heard. As a result they will be able to demand for services and hold their representatives accountable. This is decentralization and democracy for development – a huge leap in paradigm.

1.0 Conclusion

Mr Chairman, this Inaugural lecture has helped to unveil the fact that the Nigerian local government system paints a picture of decentralization, democracy and development rather than decentralization and democracy for development. We have found out that Local Governments under the military made more progress than under civil rule and that the military ensured greater democratic and financial devolution and development than the civilians. The explanation of this hinges on the political objectives of the two institutions. While the political objective of the civilian regime for LG is to protect their electoral gains and use LG as a reward system, that of the military was to gain legitimacy through the populist policy of allowing greater devolution for services at the LG level. The military needed the support of the people for continued military

rule so they were more liberally disposed to the institution of LG which they felt could accomplish this aim. Civilian regimes need LGs for political control and hegemony especially against the opposition and also for patronage for its teaming sympathisers. That is why sometimes party officials and hangers on find their names on the payment vouchers of LGs and heavy political colorations are given to policies and their benefits at the LGA level.

The problem with decentralization is that it is a myth in the Nigerian LG system. Whether deconcentration or devolution, and irrespective of the constitutional guarantees of 1979 and 1999 Constitutions, local governments have ended up the worse because the political objectives of the implementers, especially the state government is in contradistinction to constitutional provisions. Therefore the States have stoutly stood against the idea of abolishing the State Joint Local Government Account even though they realise that passing resources directly to LGs would expand their capacity and propensity to implement projects and deliver services. This would in turn empower communities who in turn will become better mobilised, translating into political empowerment. As pointed out, this does not suit the political interest of the ruling class.

States must be ready to assume their authority over local governments in a more positive way. Section 7 of the Constitution hands over local governments to the States. This implies that if LGs have failed, then the state government is to blame. If any State Chief Executive genuinely wants LGs in his state to work, the LGs have no business thwarting his objectives, given the political structure, source of political power, and the partisan basis for regulating such power in the state.

It is not a matter of two forces working against LG autonomy and responsibility, namely state interference, and abuse of power by LG political and career staff. Abuse of power cannot take place if the state performs its supervisory and monitoring roles of LGs properly. On the other hand, interference cannot take place if the state genuinely considers LG as an instrument of development. Head or tail, the State holds the ace. The preconceived idea of LGs' low capacity and predatory attitude does not help matters. What would help matters is for the State to purge itself of such perception and take a bold decision to restructure, reorganise its local governments with some bold political will. The interest of the State political elites

and the LG political elites should not continue to be united for the wrong purpose – running down the Institution of LG. Their attitude should be united in building the institution for democracy and development. Such dividends of democracy provides a more credible basis of political control and sustainability than a top-down politics. The CDD approach is an eye opener on how, with little assistance to community groups, multiple centres of growth and development can be orchestrated. Local governments capacity needs to be built together with the right legislative and administrative frameworks to harness donor experiments in communities, which has yielded lots of dividends in such communities.

Decentralization can only be meaningful if democracy and development are decentralized to the communities thereby empowering communities to take up greater responsibilities for their development. This is the paradigm shift that is desirable, workable and can promote sustainability. This is the agenda for LG in the foreseeable future if the image of LG and the State is to appreciate.

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