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REPOSITIONING LOCAL GOVERNMENT COUNCILS FOR EFFECTIVE GRASSROOTS GOVERNANCE AND NATION BUILDING IN NIGERIA

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Abstract
Local government councils remain pivotal in ensuring efficient service delivery and promoting inclusive development at the grassroots level in Nigeria. Nevertheless, they grapple with myriads of challenges which impede their effectiveness in grassroots governance. This paper therefore underscores the imperative of repositioning local government councils for effective grassroots governance, thereby contributing to nation-building in Nigeria. The paper adopts the decentralization theory as theoretical framework, while relevant data were obtained from secondary sources. The findings of the paper revealed that despite huge allocations to local government councils through the Federation Account Allocation Committee, the grassroots have continued to suffer neglect and abandonment. Local government councils in Nigeria hitherto, is encumbered by bad governance, inadequate finance, flagrant abuse of the 1999 Constitution (as amended) provisions regarding the operation State-Joint Local Government Account, overbearing control of local government councils by the State government, weak institutions, poverty, unemployment, insecurity, poor infrastructural development, inadequate awareness of the local populace on the essence and functions of local government councils and poor leadership recruitment amongst others which are pertinent for good governance and for the promotion of nation-building at the grassroots. The paper recommends amendment of the 1999 Constitution to drive local government financial autonomy, adequate funding, strong institutions, Independent Electoral Commission to conduct local government elections, youth and women empowerment, respect for the Constitution by the State Governors, advocacy and sensitization of the local populace on the functions of local government to reposition local government councils for effective governance at the grassroots and national development in Nigeria.
Keywords: Local government, governance, good-governance, grassroots, nation building.

Introduction

Local government in Nigeria is a creation of the State, as engendered in Section 7(1) of the 1999 Constitution (as amended). It states "the system of local government by democratically elected local government councils is under this constitution guaranteed; and accordingly, the Government of every state shall subject to Section 2 of this Constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils." The primary motive behind the creation of local government councils was to bring governance closer to the people at the grassroots, ensuring that service delivery and the benefits of governance are accessible to the populace. To achieve this, the functions of local governments were clearly outlined in the Fourth Schedule of the 1999 Constitution. These responsibilities were designed to promote development at the local level and address the immediate need of the people.

However, there has been growing concerns over the abysmal and worrisome performance of local government councils in Nigeria. Despite numerous reforms introduced to enhance responsive governance at the local governments level, significant challenges remain. The reforms aimed improving governance at the grassroots started in the 1950s, right before independence. For instance, the Local Government Ordinance of 1950 was enacted in the Eastern Region, the Local Government Law of 1952 was introduced in the Western Region and the Native Authority Law of 1954 in the Northern Region. These were followed by the famous 1976 Local Government Reform, which sought to standardize and strengthen local governance across the country amongst others.

Despite these efforts, local governments have persistently failed to live up to expectations. They remain largely moribund, non-functional, ineffective, plagued by numerous challenges that have hindered their ability to fulfil their constitutional responsibilities. These challenges include lack of administrative and financial autonomy which is particularly exacerbated by the arbitrary application and abuse of the Section 162 (5, 6, 7, and 8) of the 1999 Constitution. Other issues include a flawed leadership selection process, where local government councils are often administered through Caretaker Committees rather than a democratically elected council executives. Furthermore, pervasive poverty, unemployment and corruption continue to cripple the ability of local governments to fulfil their constitutional responsibilities. As a result, the intended benefits of grassroots development and governance have not been realized, leaving a significant gap in local governance.

The consequence of these developments has raised significant concerns among scholars and practitioners of local government administration, as underdevelopment remains pervasive at the grassroots. There is no doubt that only an effective free, independent and autonomous local government can mobilize the human and material resources necessary for local development. Against this backdrop, this paper underscores the need to reposition local government councils in Nigeria for effective grassroots governance and nation-building in Nigeria.

Conceptual Clarifications

This section defines key concepts to ensure a clear focus of their context within this paper. These are the concepts of local government, good governance and nation-building.

Local Government

Local government is the government at the grass roots with a given population and constitutional power to elect officials for the administrative and regulatory functions in the local area (Abati &Kugbayi, 2022). In the guidelines to the 1976 Local Government Reform, "Local Government" was defined as:

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

However, the definition above fails to mention the essence of local government which is to offer better services to the grassroots populace. Therefore, can be said to be a local government is governed through a representative council. It functions as a legal entity, and a political unit with defined territory, enjoying certain powers over its administration. Importantly, its council members are democratically elected, ensuring representation and accountability.

Local government is the third tier of government in Nigeria. It consists of 774 units spread across the 36 states of the Federation. Local governments are created to make available a range of essential services for upliftment of the wellbeing of the people at the grassroots. They serve as a vital instrument for nation building, performing both political and socio-economic roles. These include promotion of local democracy, providing political education, training ground for politicians, and fostering development in the areas of healthcare delivery, basic education, agriculture, and revenue generation. Their existence ensure that certain functions are effectively carried out by a government body which has close contacts with local communities, and local governments, more than any other organ of state, are better placed to perform these functions due to their proximity to the grassroots.

The 1976 Guidelines of Local Government outlines the principal aims of local government. These include ensuring that services and development activities align with local wishes by delegating responsibilities to local representative bodies. Additionally, local government seeks to promote democratic self-governance at the grassroots level and encourage initiative and leadership potential. Another key objective is to mobilize both human and material resources by encouraging public participation in local development efforts. Furthermore, local government provides a two-way channel of communication between local communities and government.

According to the Constitution of the Federal Republic of Nigeria, 1999 (as amended), local government perform two main functions as outlined in Fourth Schedule. These functions are categorized into Mandatory and Participatory functions. The mandatory functions are exclusive to the local governments and can be carried out independently, while participatory functions are in collaboration with the state government. The mandatory functions of the local government include making recommendations to a state commission on economic planning, particularly regarding economic development affecting both the local and state levels. Other key responsibilities include, collection of rates, radio and television licences; establishment and maintenance of cemeteries, burial grounds and homes for the destitute; licensing of bicycles, trucks, canoes, wheel barrows and carts; establishment, maintenance and regulation of slaughter houses, markets, motor parks and public conveniences; as well as constructing and maintaining roads, street lightings, drains and public highways, parks, gardens, open spaces, and other public facilities. Local governments are also responsible for naming roads, streets and numbering houses; providing services for sewage and refuse disposal; registration of births, deaths and marriages; assessing privately owned houses for the purpose of levying rates; regulating out-

door advertising, movement and keeping of pets, shops, restaurants, laundries, and sale of liquor.

The participatory functions of local government involve collaboration with the state government in areas such as, provision and maintenance of primary, adult and vocational education;development of agriculture and natural resources (other than the exploitation of minerals); and provision and maintenance of health services. The House of Assembly of a State may also assign other functions to local government councils as deemed necessary. According to the United Nations (2022), local governments are the closest level of government to the citizens. They are arguably critical to the protection and improvement of their lives and livelihoods citizens. As the core of local governments, they ought to be main drivers of equitable and sustainable development as well as providers of access to basic services. However, despite the 1999 Constitution provisions regarding local government functions, in reality, no local government in Nigeria truly serves the people. Instead, every household functions as its own local government, sourcing its basic needs, such as water, electricity, education, and healthcare. Rural poverty, unemployment, infant and maternal mortality and diseases have continued to worsen unabated. This assertion is consistent with the view of Olaopa (2017), who argues that within Nigeria's lopsided federal arrangement, local government is the most neglected tier in both theory and practice of democracy and federalism. The infrastructural efforts of the government barely reach the various localities that make up different local government areas in Nigeria.

Governance and Good Governance

Governance is defined as the exercise of economic, political and administrative authority to manage a country's affairs at all levels. It comprises the mechanisms, processes and institutions, through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations, and mediate their differences (United Nations Development Programme, 1997). According to the World Bank (1993), governance is the ability to manage a country's economic and social resources for development. The term can be used in several contexts such as corporate governance, international governance, national governance and local governance.

Good governance refers to the legitimate, accountable, transparent, democratic, efficient and equitable management of resources to promote human welfare and societal transformation (Nsibambi, 1988:60, cited in Sabiti, 2023). Good governance ensures that political, social, and economic priorities are based on broad consensus in society, ensuring that the voices of the poorest and most vulnerable are heard in decision-making processes (Ezeani, 2017). The components of good governance include participation, rule of law, transparency, accountability, consensus, orientation, equity and inclusiveness, responsiveness, and efficiency and effectiveness (Haghighi &Takian, 2024).

Nation-Building

Nation-building is a continuous process that evolves over time and is strengthened by effective leadership that is passionately national in orientation, rather than subservient to primordial affiliations. Alesina and Reich (2015) cited in Jega (2018) defined nation building "as a process which leads to the formation of countries in which the citizens feel a sufficient amount of commonality of interests, goals and preferences so that they do not wish to separate from each other." Thus, nation building involves transforming individuals within a sovereign state into conscious citizens who are proud of their country, obedient to a body of national laws often codified in a constitution and other forms of legislation, committed to their country's progress as well as its protection and defense. It also requires recognizing fellow citizens as equal, regardless of ethnic or linguistic background, race or religious differences.

More appropriately, nation building, in the context of this paper, is essentially about the reinvigoration of local government councils with a view to developing a cohesive national community at the grassroots level. This is achieved through effective and efficient governmental programs and policies for national unity and integration amidst complex diversity and multiplicity of contending identities. Therefore, the centralization of power and resources in the federal government within a multi-ethnic and deeply divided society has serious implications for development at the local level in all parts of the country.

Theoretical Framework

This paper adopts the decentralisation theory as its framework for analysis. The theory was propounded by Tiebout (1956), Musgrave (1959) and Oates (1972). Decentralisation denotes the transfer of responsibility for planning, management and resource raising and allocation from the central government and its agencies to (a) field units, (b) subordinate units of levels of government, and (c) semi-autonomous public authorities (Canare, 2021). The theory assumes that the government's primary objective function is to maximize its citizens' welfare. It also assumes that decentralization fosters citizen's participation in government programmes, encouraging their active participation in the design and implementation of the programmes. Additionally, better services can be efficiently provided when power is devolved to local government, as they are closer to the grassroots.

Decentralisation provides space community involvement in development, enhances local resource mobilization, ensures efficient allocation of resources, and strengthens governance (Massuanganhe, 2005). Its primary goal is to reduce the workload at the centre, and transfer real power to the rural populace to bring political and administrative control closer to service delivery points. According to Sabiti (2023), decentralisation has the potential to effectively address governance challenges including high poverty levels, unemployment, inadequate service delivery, poor management culture, and complex political processes affecting decision making process in local government. Thus, decentralisation enhances the capacity of local governments to plan, finance, and manage the delivery of services to the grassroots populace.

This theory is apt and relevant to this study, considering the fact that achieving meaningful local governance is essential to ensuring that the dividends of democracy reach the grassroots. Local government must transition into a dynamic governance model that transforms lives, legitimize all development efforts and empowers communities to significantly participate in and benefit from the democratic process. Centralization hinders grassroots development initiatives, because it ties development to the unitary framework which in itself limits national integration (Olaopa, 2017).

Overview of Local Government Administration in Nigeria

During the early period of British colonial rule in Nigeria, local government functioned as an extension of the central colonial administration through the system of indirect rule. This approach involved the administration of the local area through the existing traditional authorities. In the 1950s and 1960s, attempts to reform the local administrative system varied across the regions in Nigeria. While the reforms in the eastern and western regions were aimed at increasing democratization of local government, those in the northern were mainly aimed at reducing enormous power exercised by traditional rulers at the local level. However, further reforms in the Northern region between 1959 and 1966 extended these changes to regional governments and aligned local government administration with the ruling political party's influence.

The 1976 Local Government Reform marked a turning point in the evolution of local government in Nigeria for a number of reasons. First, it is the first time in the political history of Nigeria that the federal government initiated local government reforms for all the states. Second, it introduced a uniform system of local government across the states of the federation. Third, it established the population range for local government areas, between a minimum of 150,000 and a maximum of 800,000. Fourth, it officially recognized local government local government as a third tier of a government. Fifth, local government staff training becomes an integral part of the local government management strategy, with federal government involvement. Sixth, it introduced full-time chairman for local government, while supervisory councilors and councilors were paid fixed salary instead of sitting allowances. Seventh, it democratized local governments across the federation (Amujiri, nd:87). Thus, the 1976 local government reform clearly defined the structure, functions, and authority of local governments throughout the country, thereby ending the monopoly of state governments over local administration. Other reforms include Dasuki local government review committee of 1984, Local Government Reform of 1988 and Local Government Review of 2004. All these reforms were directed at repositioning the local governments for effective grassroots development in Nigeria.

Massoud (2021) notes that between 1951-1976, regional governments and, later, the state governments had the sole responsibility in terms of policy making regarding local governments. This inevitably led to a crisis of legitimacy, as there was widespread perception that devolving power and authority was dangerous and may lead to the loss of control by the central government over local authorities. Prior to 1976, and from 1979 to 1983, there was little political will at the central level to grant local governments greater autonomy or independent revenue sources to enable them perform their basic function of effective social service delivery. State governments controlled local government finances, as federally allocated revenue for local governments was funnelled through joint accounts managed by state authorities. Many states withheld a significant proportion of these funds, transferring only what was required for overhead costs and salary payment, thereby limiting local government's financial independence and operational capacity.

Since 1979, the relationship between state governments and local governments has remained contentious, despite the constitution recognizing local governments as the third tier of government with clearly defined functions. However, they were placed under the control of the state governments, similar to the arrangement during the First Republic. An examination of the structure and functions assigned to local governments during the 1976 and the 1990 reforms suggests that both the Murtala/Obasanjo and the Babangida regimes attributed the inability of local governments to inefficiency, especially in the areas of social service delivery, to the excessive control exercised over them by the state governments. Their reforms, therefore, aimed at creating an enabling environment for local governments to perform their functions efficiently. Local government autonomy occupies a pivotal place in both reforms with a view to ensuring that local governments perform their functions within the limits of the power and authority assigned to them by the constitution (Massoud, 2021).

Challenges Confronting Local Government Councils in Nigeria

The ability of local governments to discharge their constitutional responsibilities at the grassroots level is hindered by inadequate funding, inadequate infrastructure and lack of autonomy. This situation had led to frustration and growing discontent in the country as it obstructs grassroots governance and nation building (Jisalo, 2024 cited in Omonochi,2024). Thus, the key issues responsible for the abysmal performance of local government councils in

Nigeria include lack of fiscal, political and administrative autonomy, weak of community-driven checks and balances, corruption and lack of transparency in governance.

The State-Joint Local Government Account is one of the major avenues through which local government in Nigeria are deprived of financial autonomy. The 1999 Constitution (as amended) grants state governments control over local government funds through Section 162 (5-8), which states that:

> 162(5) - The amount standing to the credit of local government councils in the Federation Account shall be distributed among the States on such terms and in such manner as may be prescribed by the National Assembly.
>
> 162(6) - Each State shall maintain a special account to be called "State Joint Local Government Account" into which shall be paid all allocations to the local government councils of the State from the Federation Account and from the Government of the State.
>
> 162(7) - Each State shall pay to local government councils in its area of jurisdiction such proportion of its total revenue on such proportion of its total revenue on such terms and in such manner as may be prescribed by the National Assembly.
>
> 162(5) - The amount standing to the credit of local government councils of a State shall be distributed among the local government councils of that State on such terms and in such manner as may be prescribed by the House of Assembly of the State.

The State governments derive their powers from the above sections of the 1999 Constitution (as amended) to superintend over the revenue allocations to local government from the Federation Account Allocation Committee. The introduction of State-Joint Local Government Account means that funds allocated to local government councils are pooled and distributed by state governments. Local governments are regarded as a fundamental unit of development for any society. However, state governors often exert overbearing control over local governments. This system has therefore raised concerns due to its manner of operation. There have been reports of State Governors diverting and pilfering local government funds, in violation of the guidelines issued by the Nigerian Financial Intelligence Unit. This arrangement has led to financial mismanagement, delays in fund disbursement, and excessive state interference, severely limiting the ability of local governments to function effectively and deliver essential services at the grassroots level (Ibrahim, 2021).

Also, there is palpable lack of citizens' participation in decision making, as local government are being run by caretaker committees who are not democratically elected. In most cases, these committees are appointed by the state governor as a result of their political loyalty. Many states fail to conduct local government elections despite the expiration of elected official's tenures. In some cases, state governments have even sacked elected local government officers whose tenures had not ended and replaced them with caretaker committees, thereby placing local governments under administrative control. Running a local government with caretaker committees is anomalous, unlawful and illegal. It is a constitutional aberration going by Section 7 of the 1999 Constitution. For instance, in the case filed by sacked Ekiti state local government chairpersons, the Supreme Court declared Section 23(b) of the Ekiti State Local Government Administration (Amendment) Law, 2001, which allowed the governor to dissolve elected local government councils before their tenure expired as unconstitutional. The court ruled that local

governments must be managed by democratically elected officials, not caretaker committees. The Constitution does not recognize the appointment of caretaker committees to run the affairs of a local government. However, state governments were reluctant to conduct elections into local government councils for political reasons. Consequently, all local governments chairmen were made appointees of state governors. In such a situation, local governments were reduced to mere appendages of the state governments, with hardly enough funds to perform developmental functions for the benefit of local communities (Massoud, 2021).

Furthermore, one of the most significant challenges undermining local government autonomy is essentially inadequate funding. Local governments are encumbered by lack of financial autonomy. To address this problem, the Federal government in May 2019, introduced the Nigerian Financial Intelligence Unit (NFIU). These guidelines were introduced to regulate the spending of local government funds and to guard against the overbearing influence of state governments in managing local governments' monthly allocations. The guidelines also reduced cash withdrawal from local government accounts to N500,000 daily. However, dissatisfied with this development, the 36 State Governors, through their Attorneys-General and Commissioner for Justice, challenged the guidelines. They argued that the NFIU guidelines, particularly provisions 1 to 6, along with the penalties prescribed, exceeded the powers of the NFIU, under sections 3(1) and 23(2)(a) of the Nigerian Financial Intelligent Unit Act, 2018 and therefore unconstitutional. However, the Governors lost the suit against financial autonomy for Local Governments (Alex & Onyebuchi, 2022).

Moreover, in March 2022, to address the challenge inherent in section 162(8) of the 1999 Constitution which empowers the state governments to distribute allocation to local councils "on such terms and in such manner as may be prescribed by the House of Assembly of the state, the National Assembly passed a bill abolishing the state-joint local government account. The bill proposed the establishment of a special account where all allocations due to the local government councils, from the federation account and state government, shall be paid. However, since the bill seeks to amend a constitutional provision, it requires the approval of at least 24 state Houses of Assembly to take effect. However, the bill is yet to scale through because of lack of agreement between both legislative assemblies.

Summary of Annual Total Revenue Allocations to Local Governments in Nigeria (2015-2022)

Year	**Total allocation to local governments (# Billion)**
2015	1,205.19
2016	1,011.04
2017	1,263.39
2018	1,667.25
2019	1,636.76
2020	1,583.6
2021	1,776.8
2022	2,033.29
Grand Total	**12,177.32**

Source: Compiled by Authors from Office of the Accountant General of the Federation and CBN Annual Economic Reports, 2015-2022.

The above table shows the annual total revenue allocations to the 774 local government councils in Nigeria between 2015 to 2022. Local governments have literally been castrated on the altar of party politics. Governance appears to have been put in abeyance, as the presence and activities

of the local council pale into insignificance in terms of impact on the lives of the critical masses in rural communities. Governors deploy federal allocations meant for local governments to grandiose projects in urban centres, often at the expense of rural communities. Similarly, the internally generated revenue of the local government councils has been whittled down, as states governments have taken over all avenues through which the local councils can generate revenue internally. After collecting this revenue through third-party consultants, state government distribute it to local governments on a prorated basis, further restricting their financial autonomy.

Other challenges confronting local governments in Nigeria include leadership ineptitude, laxity and inertia, which have created core socio-economic challenges. Additionally, certain conditions predispose local governments to gross abuse by States government, despite the constitutional framework recognizing them as the third level of government. For example, the system that produces local government leadership is riddled with undemocratic tendencies, as state chief executives determines who run for elective offices. Governors handpick their loyalists, who must contest under a wholly guided electoral process superintended by State Independent National Electoral Commission. They also influence the selection of members of the State House of Assembly, who, in turn, remain at the governor's beck and call on critical matters that require legislative inputs (Kunle, 2022).

Furthermore, Massoud (2021) observes that local government institutions in Nigeria have failed woefully due to their inability to engage and mobilize the people for effective service delivery. In most cases, they have become conduit pipes for siphoning state resources by local elites. While lip service is often paid to the importance of citizen participation in governance at the local level, little is done in practice to involve them meaningfully. Corroborating the above view Adebayo and Bamidele (2000:2) asserts that most of the people who are marginalized and excluded from the system of local governance are the vulnerable and the impoverished, the uprooted and displaced, women, children and youth, the disabled, the aged, as well as both the rural and urban poor. These groups are often treated as the invisible 'informal' sector, and denied meaningful participation in governance and decision-making.

As a result of the growing concerns of lack of grassroots development and absence of governance at the local government level, the Federal Government of Nigeria, through the Attorney General of the Federation filed a lawsuit at the Supreme Court against 36 state governors to ensure the independence and proper functioning of the local government areas. In a landmark judgement delivered on July 11, 2024, the Supreme Court ordered that full financial autonomy be granted to local governments, recognizing them as an independent segment of the federation. The Court mandates that allocations from the Federation Account should be directly disbursed to local governments, bypassing state control, in line with Section 162(5-8) of the 1999 Constitution. However, the state governors have been reluctant to implement the judgement requesting for a delay in enforcement until February, 2025. However, the bigger issue is the need for the National Assembly to amend Section 162 to provide clearer constitutional backing for full local government autonomy.

Conclusion

This paper emphasizes the imperative of strengthening local government councils for effective grassroots governance in Nigeria. This paper argues that local governments in Nigeria are quite often seen as less important tier of government, to the extent that their role in fostering development at the local level has been systematically eroded in recent years. The paper contends that local governments in Nigeria are not functioning effectively, as their capacity to provide essential services to grassroots communities has been severely hampered by inadequate

financial autonomy, inadequate infrastructure and administrative independence. Given the enormity of the task of nation building, it is crucial to deepen grassroots governance. To achieve this, local government administration in Nigeria should be revived and made to function optimally through well designed policies and programmes that will bring prosperity to the grassroots populace. The level of disconnect between the government and the grassroots people is alarming and worrisome. To bridge this gap, therefore, it is essential to grant administrative and financial autonomy and independence to local government councils in Nigeria.

Recommendations

To address the challenges hindering effective local government administration in Nigeria, this paper offers the following recommendations;

1. Strengthening of the local government administration through constitutional amendments to make it free, efficient and effective in the discharge of its constitutional responsibilities.
2. Empowering local government administration with adequate funding and financial autonomy to enhance their capability to deliver the dividends of democracy at the grassroots.
3. Ensuring accountability and transparency to enable local governments drive effective and efficient service delivery at the grassroots.
4. There is need to ensure citizens inclusion through adequate sensitization and engagement to promote good governance, as well as effective and efficient service delivery at the grassroots level.

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