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Local Government and Democratization Process in Nigeria (A Study of Enugu East Local Government Area)

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Abstract

This study examines Local Government and Democratization process in Nigerian with a focus on Enugu East Local Government Area of Enugu State, It is concerned with some conceptual framework on what local government is all about and the idea/ democracy and democratization process. The evaluation is made with the view that what we call democratization process should be in consonance with the constitutional stipulations, in order to achieve the stated functions of local government thereby achieving development political, socially and economically. In the attempt an introduction was made, statement of problem, objectives and research questions and significances of the paper. Also a conceptual framework and theoretical foundations were stated in order to evaluate the structure, functions and sources of revenue of our today is local government system in the present democratization process. Based on the data gathered findings were made and conclusions and recommendation were drawn.

Keywords: constitution, democracy, development, Nigeria, revenue.

Introduction

Local government is generally known as government at the grass root level; government that bridge the gap between the rural people and the central or state government; government that facilitates political participation of the people in their government and their own affairs. Its administrative objective is to ensure that all the rules, principles and practices of the local people are rooted in the administrative system of local government. Democracy is said to be, government of the people by the people and for the people. According to oxford Dictionary, democracy is a system of government in which all people of a country can vote to elect their representatives. Hence the administration of our local government today with its lofty economy and social programmes should actualize development through democracy or its democratization process. The 1999 constitution provides that legislative power of local government shall be rested in the local government council. This means that local government has legislative powers just like the Federal and state government, hence there is some element of autonomy in its legislative jurisdiction of functions .This is what democratization process should portray in a true democracy.

One therefore, puzzles to ask why are there no much development of both physical and socio economic facilities in our rural areas, if a good democratic process is followed during election of our leaders. There is an adage that says that “the test of the food is in the eating,” that is to say that, good democratic government should give rise to reasonable development both economically and socially.

The realization of the dividends of democracy is on the hands of the democrats and bureaucrats (political stake-holders and career official) in the local government, if actual process is taken to appoint them. This study therefore set out to evaluate local government, administration and democratization process in Nigeria with particular references to the experiences in Enugu East Local Government area of Enugu State. Enugu East L.G.A is made up of two major districts of Nike district and the Ugwogo District. The two district put together has 33 communities, with the headquarters at Nkwo Nike. It also has some wards created for the purpose of political elections.

Statement of the Problems

In democracy, it is said that power belongs to the people, this is because constitutionally peoples mandate is to be given to any political leader or officer before he will assume any position of public office or responsibility of any kind at any level of government. The 1976 local government reforms in Nigeria made local government a third tier of government with some level of autonomy. Democratization is to enhance representative government in different levels of government in Nigeria (Gboyega, 2003). The 1999 constitution of the federal Republic of Nigeria Part II of the Third Schedule section (3) and (4) made provision for the establishment of State/National Independent Electoral Commission (SIEC, INEC) with the following powers:

- i. To organizes, undertake and supervise all elections to local government councils within the state and
- ii. To render such advise as it may consider necessary to the Independent National Electoral Commission (INEC) on the compilation of and the register which is applicable to local government election in the state.

Based on the above constitutional- provisions, the INEC is given the official mandate to conduct election very free and fair to give rights to both the electorate and the elect or the wining party one may wonder why there are many petition or court case over the recently conducted election in Nigeria local government. Even the last Senatorial election of 2015 in Enugu-East, why are the agitations here and there? Why so many complain of lack of dividends of democracy in Nigeria local government? The process of democratization in the local government system may be put to question.

Objectives of the Study

The crux of this paper is to find out:

1. Whether local government administration is affected by democratization process or representative government;
2. If democratization of governance brings about economic and social development in the local government.
3. If democratization process helps to attain good governance and service delivery at the local government level.
4. Whether the local government democratization have enhanced political emancipation or participation and self reliant of the rural people.

Research Questions

1. What are the effects of democratization process or representative government on the local government?
2. In what ways have democratization of governance bring about economic and social development in the local government
3. What are the Ways by which democratization helps to attain good governance and service delivery?
4. To what extent have the process of democratization enhances political participation or self-reliant of the rural dwellers.

Significances of the Study

This study will be of immense value to the functionaries in the local government system, to our stakeholders and future researches in this field of study or related area.

Conceptual Reviewed

Scholarly the treatment of concepts is most necessary for an efficient treatment of research problem and collection of relevant data, Sanda (1976). Therefore, it is necessary to discuss the two basic concepts concerned in this study that is local government and democratization.

Local government has been conceived and constituted in different ways by various scholars. According to Odenigwe (1977) in Udentia (2007), describes local government as:

“Local government is a system of local administration under which local communities and towns are organized to maintain law and order, provided some limited range of social services and public amenities and encourage the cooperation and participation of the inhabitants in joint endeavour towards the improvement of their conditions of living. It provides the communities with a formal organizational framework which enable effectively and regulate the actions of their members for the general public good”.

From the above assertion despite the stipulations of the 1976 reforms on autonomy, it equally advocates that the local people should participate in their own affairs. The United Nations Division of public Administration stated that, local government is a political division of a nation or in a federal system, a state, which is constituted by law and has substantial control of local affairs, including the power to impose' taxes or extract labour for prescribed purpose. The governing body of such an entity is elected or otherwise locally selected (Ola, 1988).

This definition has been upheld by a number of scholars who have also expatiated on it. For instance Hugh' Whalan (1970) has stated that:

“Each unit of local government in any system is assumed to possess the following characteristics, a given territory and population, an institutional structure, a separate legal identity,

a range of power and function authorized by delegation from the appropriate central or intermediate legislature and lastly within the ambit of such delegation, autonomy subjected always to the test of reasonableness.”

While in agreement with the above conceptions, Oyediran (2010) underlines the need to distinguish between local government and local administration. It is the administration of local communities essentially by means of local agents appointed by them and responsible to the central government, but local government he says, is government in which there are popular participation both in the choice of decision makers and in the decision-making process is conducted by local bodies while recognizing the supremacy of the central government and is willing and able to accept responsibility for its decisions. From the forgoing definitions, we can infer that local government is the lowest of government in any modern states, that it is legally distinct and has power to raise revenue and undertake assigned responsibilities under a leadership that is elected and answerable to the local population. It can also be state that, local government exercises power that is decentralization in the form of devolution. Even though, there are different types of local government based on their geographical locations, local government may be seen generally as a legally constituted body for development at the grassroots level. Thus, we have the traditional English, the French and the communist types (Bamgbose, 2011).

Democracy and Democratization

Ordinarily democracy is defined as government of the people by the people and for the people. Diamond, Luiz & Lipset (1989), define democracy as a system of government that meets three essential conditions: one, meaningful and extensive competition among individuals and groups, especially parties for all effective positions of government power at regular intervals, excluding the use of force; two, a highly inclusive level of political participations in the selection of leaders and policies, at least through regular and fair election, so that no major (adult), social group is excluded; and three, a high level of civil and political liberation, freedom of expression, freedom of the press and freedom to the farm or join organization so as to ensure the integrity of political competition and participation.

In a similar view Ake (1991) perceive democracy in terms of principles of public accountability, widespread participation and the consent of the governed.

Form the above it is a system of government in which all qualified adult citizen share in the supreme power of government directly or through their elected representatives. It gives people the right to choose or reject their leaders and their programmes, like in India, Britain, USA, France, etc. Democratization is therefore the process of instituting democratic government in a area or country .i.e., to make a country or an institute more democratic (Oxford Dictionary). Hence, democracy is a necessary ingredient in the local government system, mostly now the local areas are crying for more social and economic facilities. Meanwhile, the local government strives to achieve unreserved access to measurable, efficient, and effective development and service delivery to the people, democracy on the other hand, ensure and assures feasibility and possibility of this service delivery and development. It offers a participatory for citizen in the choice selection through periodic elections of credible representative and confers inestimable avenue for psychological self-satisfaction and self-fulfillment. This is so, that the electorates who participate in the electoral process eventually leads to the enthronement of a government and the political leadership can, therefore, lay a claim to the government as theirs, rather than being an imposition. Consequently, the mandate to government emanates from them, while at the same time, they act as legitimizes of the governmental system. The government is seen as legitimate and therefore, not illegal (Ajayi, 1998).

Theoretical Foundation

There are different schools of thought that are relevant to this study. These are the Democratic-participatory school, systems theory, Democratic-Participatory School. The school advocates that local government exists essentially to bring about democracy to afford opportunities for political participation to the citizens, as well as educate and socialize then(politically representative and participatory democracy at the lower level, Mills (1964) work on Utilitarianism, liberty and representative government has greatly influenced this school of thought, Mills asserts that local government is a prime element of democracy and demonstrates the intrinsic values of democracy irrespective of the service it produces in it, that local government offers' the closets thing to Widespread consultation and participation. Studies

carried out by Keith Lucas revealed that a large number of British members of parliament who had served on local government demonstrated the importance of local government as a recruiting ground for the British parliament. An analysis of the 1964 general election by Davis Butler revealed that 53% of the labour members of parliament and 45% of the defeated labour parliament candidates had been none time local government Councilor (Noun, 2010). Mackenzie (1954) supported this when he produced a data proving that more than half of the deputies and about the same proportion of senators in Italy had had political education in the local government. A very important part of this democratic role is the opportunity it creates for political activity and social interaction. Such a forum helps to inculcate the ideal of democracy like election or selection of local committees and boards, public debates, pressure and interest group to the activities (Afegbua, 2011)

System theory: this is a multi-disciplinary approach to the analysis of political events. It presumes the existence of other components which make it a Whole, and which are also in constant interaction and interdependence. A system's theory is a conceptual framework and methodology for understanding the operation of a system. The System theory is therefore defined as a series of statements about the relationship among independent variables in one variable as accompanied or followed by changes in other variables. In a functional democracy, the application of the system theory cannot be over emphasized because participatory democracy involves all unit of the local government.

The Structure of Local Government in Nigeria

The structure of local government in Nigeria is two folds

- a. Political and
- b. Administrative council

The political structure consists of all elected officials such as local Government Councilors and chairmen, the Committee, and the Supervisory Councilors. It is principally composed of the Legislature, the Executive, Committee, and the Secretary to the Local Government. Under the Presidential System of Government, the post of Secretary to the Local Government became a

political appointment. The Secretary was appointed by the chairman and never enjoyed the power of the former secretary under parliamentary system of government (Ntiwunka, 2011).

The legislative arm of the local government is referred to as the legislative council with a leader as the presiding officer. He is assisted by a Deputy leader. A clerk is also appointed for the legislative council by the local government service commission. Majority and minority leaders are appointed along with the chief whip. Then the rest of the council who represent various wards in the local government constitutes the legislative council (Adejobi, 2011). Apart from making byelaws, they also supervise the revenue collection and expenditure of the local government (Lasisu, 1997).

The Executive arm of the local government is made up of the Chairman, Vice-Chairman, and the Supervisors. The Council is responsible for the day-to-day running of the running of the local government. It also decided on the implementation of policies and recommends byelaws and capital projects to the legislative council for approval. The Chairman is elected through a universal suffrage in all the wards in the Local Government.

At the head of the Administrative Council in Nigeria Local government is the Secretary of the Local Government who is answerable to the Chairman. Under the Secretary are departments that are headed by Heads of Departments. The number of departments in a Local Government depends on the law, setting up the Local Government. They are classified into; service and operational departments. The service departments deal with the personnel management and finance that support service delivery.

The operational departments on the other hand deliver the services on the field with the help of a structure called field or extension workers (technical, professional, and administrative in nature) who is answerable to the head of department (Noun, 2010). In Nigeria the operational departments are: works, education, agriculture, and health departments. These are the units of the local system that makes its existence a meaningful one. Without these departments the objectives of establishing the local government will not be achieved. They will not be able to give services to the local people. Adejobi, (2011), observed that the points of interaction between the executive and legislative organs in the local government may include:

- a. When the chairman has approvals to be made by the legislature such as the appointment of secretary, supervisors etc;
- b. During the presentation of annual budget;
- c. Approval of major contract;
- a. Approval for the appointment of junior staff. However, the local government services commission gives the final approval for such appointment to ensure the laid down rules and regulations of the local government service are followed;
- d. The chairman can also meet with the councilors whenever the need arises.

Sources of Local Government Revenue in Nigeria

Nwachukwu, (2011) stressed that local government in Nigeria derive their revenues or finance from a number of sources. Broadly speaking, the sources can be categorized into two: Internal and External.

The internal sources otherwise known as Internally Generated Revenue (IGR) source; are those sources from which the local governments generate their resources within their territories or boundary. These internal sources include taxes, rates, licenses, fees and fines, social charges, rent on local government' properties, interests and dividend on investments, miscellaneous etc. These sources are largely exclusive preserves of the local governments in Nigeria. However, with them, most if not all the local governments in Nigeria generate less than 10% of their revenue from internally generated revenue.

The external sources of local government revenues are those sources which revenues are accrued to local governments outside the local community in which they are situated. In Nigeria, these sources' include allocation from federation account, allocation from the state governments, stabilization and general ecology fund, income from value added tax, income from privatizations/Global System Mobile proceeds, grants from federal and state governments, donations, loans, foreign grants, aids and assistance, derivation fund etc. It is the bulkiness of these revenues that has given rise to the low interest of the local governments in efforts at internally generated revenues.

Constitutional Functions of Local Government

In 1967 the government decided to carry out local reorganization to enhance decentralization as part of the transition to civil rule program. The program of decentralization adopted assigned local functions on the principle of subsidiary, seeking to vest responsibility for services closest to the point of consumption and to provide financial resources for meeting them. The three criteria applied in this process were to assign to local government those functions that:

- i. require detailed local knowledge for efficient performance;
- ii. in which success depends on community responsiveness and participation and
- iii. those which are of personal natures requiring provision close to where the individuals affected live, and in which significant use of discretion or understanding of individuals is needed (Gboyega, 1983, 2003).

Government (Federal Republic of Nigeria, 1976) applied these criteria to produce two lists of functions of local government. The first list was considered the primary mandatory functions that all local governments had to perform. It comprised the following items:

1. Markets and Motor parks;
2. Sanitary inspections, refuse and night-soil disposal;
3. Control of vermin;
4. Slaughter house and slaughter slabs;
5. Public conveniences;
6. Burial grounds
7. Registration of births, deaths and marriages;
8. Provision of community and local recreation centers;
9. Parks, gardens and public open places;
10. Grazing grounds, fuel plantations;
11. Licensing, supervision, and regulation of bake houses and laundries;
12. Licensing, regulation and control of the sale of liquor;
13. Licensing and regulation of bicycles, and carts and other types of vehicles
14. Except those mechanically propelled and canoes;
15. Control or keeping of animals;
16. Control of hoarding, advertisements, use of louder speakers in or near public places, drumming;
17. Naming of roads and streets and numbering of plots/ buildings;
18. Control and collection of revenue from forestry outside the 'forest estate' of gazette forest reserve;
19. Collection of vehicle parking charges; and

20. Collection of property and other taxes, community tax, and other designated revenue sources.

The second list was vested concurrently in state and local governments. However, each state government was to devolve them in its local government when it ascertained that they had capacity to perform them.

This list comprised:

1. Health centers, maternity centers, dispensaries and health clinics,
2. Ambulance services, leprosy clinics and preventive health services;
3. Abattoirs, meat inspection;
4. Nursery and primary education and adult education;
5. Information and public enlightenment;
6. Provision of scholarships and bursaries;
7. Provision of public libraries and reading rooms;
8. Agricultural extension, animal health extension services, and veterinary clinics;
9. Rural and semi-urban water supply
10. Fire services;
11. Provision of roads and streets (other than trunk roads), their lighting drainage;
12. Control of water and atmospheric pollution;
13. Control of beggars, of prostitution, and repatriation of destitute
14. Provision of public utilities except where restricted by other legislation,
15. Specifically including provision of road and inland water transport;
16. Public housing programs;
17. Operation of commercial undertakings,
18. Regulation and control of building;
19. Town and country planning; and
20. Piped sewerage system.

In practice, state government regarded the second list as a list of permissive functions, which they allowed local governments to perform under close supervision if they had the resources to perform them. The fact that key social services such as health and education were concurrent responsibilities to state and local government posed funding and organizational problems. State governments laid down policy and exercised administrative controls over quality and quantum of services to be delivered but left funding to local governments that lacked resources to adequately fund them. To ensure this was not a major constraint to the delivery of services by local governments, a key component of the 1976 reform was the introduction of fiscal transfers from the federation account to local governments.

This was the first time in Nigeria's history that such fiscal transfers would be authorized in the national budget. Hitherto, only state governments made grants-in-aid to their local governments. Even the grants were meager and irregular. Consequently, many local governments had fallen into arrears in payment of staff salaries and accumulated huge debts to contractors. In the circumstances local governments could hardly be expected to provide any meaningful services to their citizens. The financial aspects of the 1976 reform sought to reverse this situation and to empower local governments financially so that they could assume a more positive role in the development of the country.

The fiscal transfers were beneficial to local governments in a number of ways. First, it provided the local government councils with needed funds to provide services. Previously, many local government councils existed only in name because they could not afford to provide services to their citizens. Secondly, the grants were expected to enhance the autonomy of local government councils. As general grants not tied to particular programs, local government councils were free to decide what to use the funds transferred to them for. Thirdly, being constitutionally mandated, they provided regular, assured revenues that could facilitate sound development planning in each locality.

Since the introduction of the statutory fiscal transfers, it has radically changed the structure of local government finance in Nigeria. The 1979 Constitution guaranteed fiscal transfers from the state's revenues and from the federation account to local government. Section 142 of that Constitution provided that; the Federal Account would be distributed among the Federal, State and Local Government Councils. It also provided that each state should pay to its local governments such proportion of its total revenue as the National Assembly prescribed. The Allocation of Revenue that is; Federation Account, Act of 1981 passed by the national Assembly in 1981 fixed the proportion of revenue to be transferred to local government councils from the Federation Account and from each state's total revenue at 10% each. Today their allocation has increased to 20%.

Description of Enugu East LGA.

Enugu East local government Area in a local government in Enugu state of Nigeria. It is located with the South east area on the map of Enugu state. It covers an area of 383km² and has a population of about 279,089 citizens according to the 2006 census.

Enugu-East local government area has two Districts:

1. Nike District ND (Wikipedia, July 2015)

2. Ogwogo District

The communities put together are thirty three (33) in number. They are:

1. Nike District: Agbogazi, Ako, Akpoga, Alulu, Amorji, Amokpo Azama, Edem Effokwe, Emene, Ibeagwa, Iji-Amaowelle, Mbulungodo, Nchatancha, Neke-Odenigbo, Neke-Uno Ugwuomu, Nkwubo, Nokpa Obinagu, Onuogba, Oyeohu, (22) Communities
2. Ugwogo District: Adaeze, Amankpa, Farm settlements, Obinagu, Ogbodogo, Okpulu, Ugwuunkwo, Umunagbo, Umunnameze, Umunonu, Utazi (11) (eleven communities)

However, politically within the areas, that is the Nike & Ugwogo Districts have twenty (20) wards as follows: Abakpa I - III, Amorji, Edem, Emene, Dederal Housing, Ibagwa, Mbuluyiukwu I-III, Mbulujodo I-III Mbuluowehe I-H, Obinagu Iji, Onuagu - Harmony, Trans-Ekulu, Umuchigbo, Umuenwene (Udenta, Samac 2012).

Methodology

The study is a descriptive survey research with a focus on Enugu East Local government area. The study is qualitative in nature and because of time factors and other constants to this study some important features of democratic process are not examined. The sampling method was purposive both the primary and secondary data was collected by the researcher through desk research. Few respondents of the population of the study area that is, headquarters of Enugu East at Nkwo-Nike was interviewed.

Findings:

After the analysis of the desk review and the primary data collected the following findings were made:

1. That local government administration is badly affected by the present democratization process due to the fact that some elected politicians are not loyal to the people but to their political fathers. Therefore, the interests of the people are not properly represented. This vice does not enhance proper development both economically and socially.
2. It was also observed that the rural dwellers do not take part in the major decisions/issues that affect them politically, hence political emancipation is undermined.
3. Also that there is corruption on democratic process in local government and this has handicapped the career officers from discharging their constitutional functions. This equally affects service delivery in the local government because of poor electoral process. This also leads to poor performance lukewarm attitude on the part of worker.
4. The worst of all the observation is that there is poor participation of the rural dwellers and accountability which democracy depicts. According Oladunjoye (2010), absence of democracy and good governance has given way to corruption.

Conclusion and Recommendations

Conclusion

This paper has dealt on local government and democratization process and based on the findings it was observed that the democratization process is not carried out as the rule of law demands both constitutionally and morally, it affects economic and social development adversely. The experiences we have in today's Nigeria is showing it even though we claim to be democratic.

Recommendation

The researcher therefore wishes to make the following suggestion for as a way forward.

1. The government should endeavour to imbibe real democratic process both at the federal, states and local governments, so that the genuine people would be elected into various political offices - Chairman and Counselors.

2. The local governments should equip their official with better education and training a sound orientation about value system and democratic cultures. Rural people should be properly orientated on their rights of participation in their own affairs.
3. Accountability and transparency must be encourage to reduce self-aggrandizement or quest too much money to reduce corrupt practices and the struggle for political position, if officials are founding wanting in discharge of their duties they should face the wrath of law.
4. The continuous domineering and crippling influence of the state government in the affairs of SIEC and local government should be stopped. The local government and SIEC should be allowed to exercise their constitutional autonomy otherwise the democratization in the local government system will be meaningless.

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