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MODULE 1

ORIGIN, REFORMS AND SYSTEMS OF LOCAL GOVERNMENT

Unit 1: Historical Development of local government

Unit 2: Local government Reforms

Unit 3: Meaning, Reasons and Characteristics of Local government

Unit 4: Local government Systems

UNIT 1

HISTORICAL DEVELOPMENT OF LOCAL GOVERNMENT ADMINISTRATION IN NIGERIA

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1.0 INTRODUCTION

Local government system exists in every country with variations in its structures and functions. Some countries operate single-tier system, where one local government exercises all the powers and performs all the functions, single-tier structural framework, where two or more local government share responsibilities for providing a range of services to the citizens in a defined area. In this lecture, we shall examine the origin, meaning and characteristics of local government in Nigeria.

2.0 OBJECTIVES: Upon completing this lecture unit, students would be able to:

- Explain the origin of local government in Nigeria;
- Describe the meaning and;
- Describe the characteristics of local government

3.0 MAIN CONTENTS

3.1 HISTORICAL DEVELOPMENT OF LOCAL GOVERNMENT

Nigeria has experimented with different systems of local government since the amalgamation of the northern and southern parts of the country in 1914. The genesis of local government administration in Nigeria dates back to pre-colonial period. There were the existence of emirate systems of Sokoto and Borno caliphates: Ibadan, Egba, Ekiti and Oyo empires. In these kingdoms, Emirs, Obas and Chiefs held sway over the governance of their respective domains. Moreover, in these areas, there were smaller districts, villages and wards that were subject to the kingdom and emirate government. These smaller or subordinate levels of government could be seen or described as local government. Then was the emergence of indirect rule system of British colonialist.

The system of indirect rule system later degenerated into direct rule because “the traditional rulers became mere local agents of colonial officers. The Emirs in the North, the Obas in the West and Warrant chiefs in the East became sole native authorities in their domains”(Ugwu, 2000:8).

Consequently, there was a reform in 1930s which regularized the position of the Emirs as the Sole Native Authorities and consolidated emirate hegemony in the Northern heartlands. Similar developments occurred in the West and to some extent in the East. The pattern of from one district to another.

3.2 NATIVE ADMINISTRATION

The structural arrangement of Native Administration in the Northern Region and other parts of Nigeria, had the head of administration as the Governor General. The Governor General was responsible for directing the overall policies of the territory, including matters relating to the Native Administration.

The Lieutenant Governors were in charge of Southern and Northern Administration with headquarters at Lagos and Kaduna. Among other things they were in charge of producing the annual budget of their areas which are incorporated into the Central budget(Ugwu,2000).

The Provincial administration was extended to every part of the country. Prior to this period, it operated only in the North. The number of provinces in the South increased from three to nine. They included: Abeokuta, Benin, Oyo, Warri, Calabar, Ogoja, Ondo, Onitsha and Owerri. Each province was under the leadership of a Resident, was was responsible for the overall performance of the public services

in his jurisdiction. The Resident was responsible to the appropriate lieutenant-Governor(Ugwu, 2000).

Under Sir Governor Bernard Bourdillion (1939-1943), Southern Nigeria was divided into Eastern and Western groups of provinces. He used River Niger as the determining boundary. From 1939 onwards, there existed three groups of provinces – Northern, Eastern and Western, with each under a Lieutenant Governor with headquarters at Kaduna, Enugu and Ibadan, respectively.

Each province had Divisional Administration with District Officers (D.Os) as heads. The District Officers and Assistant District Officers were the officials centrally concerned with the execution and implementation of government policies and to a less extent, the formulation of policies at this level.

Below this structure were the separate units of Native administration of varying sizes and types. The native administration was operated through the system of indirect rule. The colonial government recognized and strengthened the role of traditional rulers and chiefs and through the maintenance of law and order, revenue collection, provision of services, political administration were affected(Ugwu, 2000).

The Native Administration under the indirect rule system was successful in the Northern region, partially successful in the West, but failed in the East. The failure in the East was due to the decentralized nature of the Igbo traditional political system. Besides, the Aba Women Riot of 1929, as of inadequacy of the indirect rule system resulted in the adoption of the “Best Man Policy”. Under this system,

Warrant Chiefs no longer represented the people in the council rather the people now elected their own representatives into the native courts and local councils(Ugwu, 2000). Thus, the Native Administration gave way for representative local authorities the Southern part of Nigeria, while it persisted in the North, until the first military intervention of 1966.

3.3 GROWTH OF LOCAL GOVERNMENT

The Native Administration system continued to thrive in the North until the emergence of modern local system from 1952-1965, and the era of Caretaker Committees and Sole Administrator Systems.

However, since 1970, the number of local government rose from 299 in 1970 to 301 in 1979, to 781 in 1981, when the state government were given authority to create local government. After the overthrow of the civilian government in 1984, the numbers were again reduced to 301 and later they increased to 449 in 1987; 589 in 1991 and 774 in 1996 (Otobo 2002, 302).

SELF-ASSESSMENT EXERCISE

Describe the history of local government administration in Nigeria?

4.0 CONCLUSION

In this unit, we have examined the historical development of local government administration. Under the British colonial rule, indirect rule system became the basis of local government administration. In indirect rule system, traditional rulers were given autonomy and powers to run the local administration of their various areas. The essence of indirect rule system was the strengthening of the native court and the inauguration of local tax and a treasury. However, the indirect rule system was successful in the North because of the feudal nature and centralized political system; it was partially successful in the West, while it failed in the East. The Native Administration system continued in the North up to the period of military intervention of 1966, while representative type of administration took the front seat in the East and West.

5.0 SUMMARY

At the beginning of the 19thcenturt, the British colonial administration imposed their rule on the people of Nigeria. The basis for local government in Nigeria became the indirect rule system. The colonial officials used the indirect rule system to establish Native Administration through the use of pre-colonial political structures, such as the office of the Governor General, Lieutenant-Governor, Resident and District officer. These

colonial officials administered the local authorities through indirect rule system. The Native Administrative system, however, continued to be used in the North until the military intervention of 1966 because of its success, while it was abandoned in the East and West for elected representatives.

6.0 TUTOR-MAARKED ASSIGNMENTS

- (1) Describe the historical development of local government in Nigeria?
- (2) Describe the structure of local government administration before the military intervention of 1966?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

- Eneanya, A.N. (2012). *Local Government Administration in Nigeria: A Comparative Perspective*. Lagos: University of Lagos Press.
- Ekpe, A.N. (ed.) (2006). *The Substance of Local Government Administration in Nigeria: Theory and Practice*. Lagos: Asbot Graphics
- Ugwu, S.C. (2000). *Issues in Local Government and Urban Administration in Nigeria*. Enugu: Academic Publishing Company.

UNIT 2

LOCAL GOVERNMENT REFORMS IN NIGERIA

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1.0 INTRODUCTION

The reforms in local government Administration in Nigeria was instigated by criticisms of educated elites who felt marginalized in the indirect rule system. The reforms were mostly notable in the Eastern and Western parts of Nigeria. In this unit, we shall examine the trends of local government reforms in Nigeria.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Describe the patterns of the reform of the local government in the East, West and North before the military intervention of 1966;
- Explain the pattern of local government reforms during the military administration before 1976; and

- Describe the patterns of local government reforms since 1976 to date.

3.0 MAIN CONTENTS

3.0 MAIN CONTENTS

3.1 LOCAL GOVERNMENT REFORMS BEFORE 1966

Before the 1950s, the colonial government used Indirect Rule through the Native Authorities (NA) to administer the grassroots. The NA operated under the District Officer (DO) with the cooperation of Traditional Rulers. The 1950s witnessed “some notable reforms in the local government administration mostly in the Southern part of Nigeria” (Ugwu, 2003: 14). Their administrative procedures were as follows:

- Funds were raised mainly through taxation collected by the NAs, which retained a part for the maintenance of their services.
- Budget 'was prepared under the guidance of the District Officer (DO) and approved by government.
- Southern Nigeria mounted stiff opposition against the system in early 1950s with the government of Eastern Region, abolishing native administration and replacing it with the Local Council

Ordinance of 1950. The Western Region followed with the Local Council Law of 1952, while the Northern Region

passed a corresponding law in 1954. In the East, the structure was patterned after the British system of local government. It was a three-tier structure, as follows:

- (i) County (Divisional council)
- (ii) District council
- (iii) Local council

The reform made a provision that all members of the council were to be elected by the people. Due to inadequate administration and lack of experience, to operate this new system, the local government was restructured into a two tier structure: (a) Urban and County Council and ; (b) Local Councils, which replaced the three-tier system(Ugwu, 2000).

In the Western region, the activities of the traditional rulers gave impetus to the 1952 Western Regional Local Government Law. The law made provision for a three-tier structure as follows: (a) Divisional office; (b) District Council; and (c) Local Council. This was also patterned along the British system with its functions including ambulance services, maternity centres and hospitals,

agriculture, veterinary and forestry services, primary and post-primary education(Ugwu, 2000). Agreement was entered between the educated elites and traditional rulers for the latter to be allocated twenty-five percent of the membership of the council.

In the Northern Region, the Native Administration system survived and remained strong until the collapse of the First Republic in 1966.

- Local Council Service Boards were created in Southern parts of Nigeria in 1955 to regulate the powers of the local authorities on appointment of employees. In the North, appointments were on the approval of the appropriate regional minister of government.
- In 1960, the laws were amended in line with regional experiences and dictates of the time. Ministry of Local Council was later created to strengthen inspection of finance and personnel.

3.2 LOCAL GOVERNMENT REFORMS DURING MILITARY RULE

When the military struck in 1966, local administration system was abolished via Decree 34. The native court system became part of the judiciary, while the local council police was dissolved and integrated into the federal police force. Native Authority Prisons were also taken

over by Federal' Prisons. The autonomy and power of the councils were further eroded.

Under the military, the reforms in the North resulted to:

- (a) Increased scope of local participation
- (b) Creation of new administrative units and structures to facilitate more participation and effective mobilization and management of resources for development purposes.

However, the local government structures differed from one state to the other in the North. For instance, Kwara and Benue-Plateau states established the local administration system comprising the local authorities with Districts councils as subordinate units. The other states in the North such as North-Central, North Eastern, North Western and Kano adopted a three-tier structure mad up of the following :

- (a) The local Authority
- (b) The Administrative Area Council/ Area Development Board
- (c) The District Council.

The structures were similar to the three-tier structures adopted in the Southern part of the Nigeria in 1950s. Moreover, Township

Administration also existed in areas such as: New Bussa and Bacita in Kwara, Borno in North-Eastern, Zaria in the North Central and Kano Township which had a metropolitan planning Development Board.

In the East Central States, a new pattern of local government Administration was established. It was known as the “Development Administration” system. It also existed in the South Eastern and Mid-Western states(Ugwu, 2000). The philosophy of the system is anchored on community self-help. However, the reorganization of the system was affected by the Divisional Administration Edict of 1971. This system introduced a two-tier structure of Divisional and Community Councils. At the divisional levels, the local authority in relation to a community council area, was the Divisional officer-in-council of the Divisional council and in relation to an Urban council area, the Resident-in-council of the Urban council. The system also established an administrative and coordinating relation between the state government and community council on one hand and between the state government and the ordinary citizen on the other. The aim of this was to bring the government nearer to the people and reduce the barrier between the people and their environment(Ugwu, 2000).

In the West, the Council Manager system was adopted. The idea was borrowed from North America. It was aimed at integrating some private sector techniques into public sector management. The structure of Council Manager System was made up of a council elected or appointed members which play the role of a board of directors in a business organization and secretary who performed the function of a chief executive in a company. Each council had a standing committee responsible for formulating policies, preparing and receiving annual council budgets, and offering support to the secretary who served as the chief executive officer. The chairman of the standing committee was also the chairman of the council, and was selected on annual basis by the members of the council from among themselves(Ugwu, 2000).

With the creation of 12 States in 1967, the Eastern and Mid-West state governments took over the running of local political institutions. The West adopted a North American model of council manager system and in most of the Northern States, popular representation and weakening of traditional leadership hold on local councils was increasingly emphasized.

3.3 LOCAL GOVERNMENT REFORMS SINCE 1976 AND BEYOND

In 1976, it was felt that these reforms were not sufficient to bring about the type of socio-economic and political changes envisaged at the local governments.

In 1976, a uniform structure was introduced for local councils all over the federation. Traditional rulers were denied of roles in the running of the councils. The council was made a third-tier of government with a population of not less than 150,000 people or more than 800,000. Specific functions were defined for the council.

All the provisions of the 1976 reforms were incorporated into the 1979 constitution with the introduction of presidential system of government. This 1976 reform re-defined local governments and changed their orientation from field administrations of the state governments to being simultaneous local government structures that were responsible to the electorate. The reform introduced a most innovative and rather radical departure from the existing structured pattern of local government in the country. High-lights of the reform are:

- Abolition of the old divisional administration system previously in operation in several parts of the country,
- Provision of a multi-purpose, single-tier local authorities, tagged local government with chief executive system of management;
- Provision of federal grants to be disbursed to local governments through the states;
- Introduction of Supervisory Councillorship particularly in the Southern States. Each of the Supervisors was to be in charge of one or more related departments in the local council.

The progress made in local government reforms in 1976 was virtually eclipsed in the early 1980s, when the authority vested by the 1979 constitution in the states to create local government led to proliferation of local governments. This had the perverse effects of both stressing the limited capacity for governance at the local government level and of intensifying the problem of sharing the limited resources among a vastly increased number of local governments. Moreover, the reform failed to address the issue of power separation between the arms of government as is typically the case in a Presidential system of government.

However, all the provisions of, the 1976 reforms were incorporated into the 1979 Constitution with the introduction of presidential system of government

3.3.1 DASUKI LOCAL GOVERNMENT REVIEW COMMITTEE OF 1984

As a result of these noticeable inadequacies, it was felt that the 1976 nationwide local government reforms were not sufficiently able to generate the desired impact. This led to the setting up of the Dasuki Local Government Review Committee in 1984. In 1986, Alhaji Ibrahim Dasuki Report made improvements on the state of local councils. The exercise ended up in worsening the problem of local government. The government white paper subordinated the local government to the States. External revenues to local governments were drastically reduced. State governments were now to make

available only 10 per cent of their internal revenues to the local government, which they failed to do. The subordination of the local governments to the States was completed with the introduction of Sole- Administrators, who became agents of the State governments and the gain of 1976 reform was lost. The recommendations also led to the scrapping of the state ministries of local council in 1988 and the policy of direct disbursement of statutory allocations was introduced.

3.3.2 LOCAL GOVERNMENT REFORM OF 1988

Following the recommendations of another Local Government Review Commission in 1988, the Federal government adopted a number of measures to strengthen local government. The new measures were:

- Abolishing State Ministries of local government, which had extensive review and supervisory authority over local governments and its replacement by a department of Local Government in the Governor's office;
- Paying federal allocations to local governments directly;
- By-passing State government in Statutory allocations, which have moved from 10 per cent to 23 per cent;
- Strengthening local government financial administration by granting local government's authority to prepare and approve their own budgets and taxes independently of State governments;
- Rationalizing local government organizations;
- Transferring primary education and primary healthcare and all related personnel and facilities to local government;

- Creating the office of Director of Local government Audit as well as setting up local government Alarm Committee and
- Involving traditional rulers in local government affairs

3.3.3 ADDITIONAL GOVERNMENT REFORMS

- Additional 149 councils were created in 1989 and new allocation formula gave 15 per cent to the councils.
- Primary Health care programme was transferred to the local council in 1990.
- Primary school administration followed in 1991. There was separation of power and appointment of political secretaries.
- Local Council Service Commission was abolished in 1992 and later reinstated. The revenue allocation formula was raised to 20 per cent. Later the councils were increased to 774, with administration and financial autonomy granted.
- Gains in Council reforms appeared harmed by the 1999 Constitution, which introduced ambiguity and contradictions in the control and running of the local councils. For example, Section 7 (I) States: "The system of Local Government by

democratically elected local councils 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 provide for the establishment structure, composition, finance and functions of such councils."

Section 7(6a) provides that "the National Assembly shall make provisions for statutory allocation of public revenue to local councils in the federation." And Section 7(6b) compounds the confusion by stating that "House of Assembly of a State shall make provisions for statutory allocation of public revenue to local councils, within the state."

In addition, Section 8 (5 and 6) empowers the National Assembly to legislate on new councils before they can become legal. With the state government, state House of Assembly and the National Assembly all having roles to play in the affairs of the local council, it is not a surprise that confusion, intrigues and non-performance has been the lot of governance at the grassroots levels, hence the need for reforms.

3.3.4 LOCAL GOVERNMENT REVIEW OF 2004.

This review took place under the chairmanship of the Late EtsuNupe, AlhajiUmaruSandaNdayako and later replaced by AlhajiLimanCiroma. The

Federal Government issued white paper on the Report and the National Council of States endorsed the report. The contents of the report were:

- It retained the existing 774 local government councils;
- All local government council must submit their annual budgets to their State Houses of Assembly for approval;
- Ensure that whatever is due to local governments is made available to them, including 10 per cent of the monthly generated revenue or whatever portion of money that comes from the federal to the States that is meant for the local government;
- That local government should fund their various services and Agencies, including paying salaries of paramount Traditional Rulers and primary school teachers
- Administration of local government is purely the responsibility of State House of Assembly, which will make appropriate legislation and
- Establishment of inspectorate department to enforce compliance with the local government budget as approved by the planning and legal units in the local government councils.

Recently, another provision has been enacted into law by the National Assembly in 2005, empowering Local Government Allocation to be paid directly to them, instead of the previous arrangement of having State-Local Joint Account. Statutory allocation meant for local government was increased to 23 per cent. The idea of paying the statutory allocation direct to local government is to forestall the possibility of State Governments manipulation of the joint account to their favour. This latest provision has received criticism from the Conference of Assembly of Speakers, who looked at such provision as unconstitutional and encouraging corruptions in Local

Government Administration. Though, the Assembly of Speakers criticize this provision, majority of Nigerians welcome this development, in view of clever manipulations of State Governments to State-Local Government Joint Accounts. It was believed that the reform would enable the Local Government Councils fulfill their primary functions of grass-root development.

Another important innovation arising from the reform was the policy decision to provide training at all levels for all categories of local government officials. Before then, local government positions were filled by unskilled functionaries, most of them with a maximum of primary or secondary school education. The reform initiated training programmes for senior local government officials in three centers -- the Universities of Ife, Zaria and Nsukka.

These reforms led to a considerable change of Nigerian administrative and political institutions. It has become a primary level of grassroots democracy and distribution of socio-economic programmes in Nigeria.

SELF-ASSESSMENT EXERCISE

Describe the local government reforms in Nigeria before 1966 military intervention.

4.0 CONCLUSION

In this unit, we have discussed the reforms of local government system. The reforms of local government in Nigeria date back to the pre-colonial era and the formative period of larger-scale kingdoms and powerful empires in the country. After the amalgamation of Southern and Northern protectorates in 1914, several reforms took place. Before

the 1950s, the colonial government used indirect rule system through the Native Authorities (NA) to administer the grassroots . The NA operated under the District Officer (DO) with the cooperation of traditional rulers. However, various reforms took place from the 1950s, until 1976 when a uniform structure was introduced throughout the federation.

5.0 SUMMARY

The genesis of local government administration in Nigeria dates back to pre-colonial period. Before 1950s, the colonial government used indirect rule system through the Native Authorities (NA) to administer the people at the grass root. However, reforms continued to surface in local government administration from the 1950s up to 1976, when a uniform local government structure was established. Other reforms, however, followed in 1984, 1988, 1989 and 2004. Presently, the local government council administration is now the responsibility of the State House of Assembly.

6.0 TUTOR-MARKED ASSIGNMENTS

- (1) Describe the reform of local government administration in Nigeria during the military regime?
- (2) Describe the trend of Local government reforms in Nigeria since 1976?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

- Eneanya, A.N. (2012). *Local Government Administration in Nigeria: A Comparative Perspective*. Lagos: University of Lagos Press.
- Ekpe, A.N. (ed.) (2006). *The Substance of Local Government Administration in Nigeria: Theory and Practice*. Lagos: Asbot Graphics
- Ugwu, S.C. (2000). *Issues in Local Government and Urban Administration in Nigeria*. Enugu: Academic Printing Press.

UNIT 3

MEANING, REASONS AND CHARACTERISTICS OF LOCAL GOVERNMENT

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 - 3.2 Characteristics of local government
 - 3.3 Reasons for establishing local government
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- 6.0 Tutor-Marked Assignment

- 7.0 References/Suggestions for Further Reading

1.0 INTRODUCTION

In primitive societies the lowest level of local government is the village headman or tribal chief. In modern nations, local governments usually have some of the same kind of powers as national governments do. They usually have some power to raise revenue, though these may be limited by central legislation. The question of Municipal Autonomy-which powers the local government has, or should have, and why-is a key question of public administration and governance. The institutions of local government vary greatly between countries, and even where similar arrangements exist, the terminology often varies. Common names for local government entities include state, prefecture, district, city, municipality, shire and so on. However

all these names are often used informally in different countries and local government is the legal part of central government.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Define local government
- Describe the reasons for establishing local government councils and
- Describe the characteristics of local government

3.0 MAIN CONTENTS

3.1 MEANING OF LOCAL GOVERNMENT

Many scholars define local government differently. This is as a result of varied perspectives on the actual role of local government which differ from one environment to another. However, local government can be defined as government at the local level exercised through representative councils established by law to exercise specific powers within defined areas (Local Government Reform Handbook,1992).

According to Oni, (1993), local government is that “level of government exercised through representative councils, established by law to exercise geographical area with common social and political ties”. These powers should give the council substantial control over local

affairs as well as the staff, and institutional and financial powers to initiate and direct the provision of services and to determine and implement projects so as to complement the activities of the state and federal governments in their areas.

Local government system can be defined as:

Government at local level exercise through representative councils established by law to exercise specific powers within defined area. These powers should give the council substantial control over local affairs as well as the staff and institutional and financial powers to initiate and direct the provision of services and to determine and implement projects so as 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. (Awa, 2006:96)

These definitions are rooted in the meaning of local government by the United Nations, office for Public Administration which defines local government as:

A political division of a nation or (in federal system), state, which is constituted by law and has substantial control of local affairs, including the powers to impose taxes or to exact labour for prescribed purpose (UN Report, 1960:3). The governing body of such an entry is

elected or otherwise locally selected. (Quoted in Ola, 1984:7).

The common denominator in these definitions is that local government is that local government is a subordinate system of government and has the authority to undertake public activities. (Eneanya, 2012:15). This authority has structures and functions, collects revenue, experiences some challenges and is controlled by central authority. These definitions are encompassing and most widely accepted and have theoretical implications. From the definitions, certain characteristics of local government stand out.

3.2 CHARACTERISTICS OF LOCAL GOVERNMENT

Almost all local government bodies share certain characteristics:

- That local government is a subordinate system of government;
- A continuing organization;
- The authority to undertake public activities;
- The ability to enter into contracts;
- The right to sue and be sued; and
- The ability to collect taxes; and
- Has the power to make policies, prepare budgets and have a measure of control over its own staff.

3.3 REASONS FOR ESTABLISHING LOCAL GOVERNMENT

The following are the reasons for establishing local government(Eneanya,2012: 19-20):

- Local government provides the platform for people to conduct their own affairs in line with local needs aspirations, resources and customs which they alone understand better than any outside;
- Provides framework for mobilizing and sustaining popular zeal and initiative in development;
- Serves as a hedge against over-concentration of power at the centre which often leads to tyranny;
- It acts as a two-way channel of communication between the local population and the central government.
- It aggregates local interest and transmits these to the centre and also keeps the local population informed about central government policies and programmes;
- Local government serves as socio-economic laboratory for testing new proposals for government organization and sund economic policies; and
- Acts as training ground for leadership positions at the national level.

SELF-ASSESSMENT EXERCISE

Describe the meaning of local government?

4.0 CONCLUSION

In this unit, we have discussed the meaning, reasons for establishing local government and its characteristics. Local government can be defined as the lowest unit of administration to whose laws and regulation, the communities, who live in a defined geographical area and with common social and political ties, are subject. Local government is a subordinate government and mobilizes people for socio-economic development.

5.0 SUMMARY

Local government is a subordinate of central government It is a body corporate which can sue and can be sued. It has legislative powers to make bye-laws and regulations, under the power derived from the constitution. It provides the framework for mobilizing and sustaining popular zeal and initiative in development

6.0 TUTOR-MARKED ASSIGNMENTS

- (1)What are the reasons for establishing local government in Nigeria?

(2) Describe the characteristics of Local Government?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

Awa, E.O. (2006). "The Theory of Local Government". In the *Substance of Local Government Administration in Nigeria: Theory and Practice*, AkpanimNtekimEkpe (ed.). Lagos: Asbot.

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UNIT 4

LOCAL GOVERNMENT SYSTEMS

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1.0 INTRODUCTION

The local government system connotes structural arrangement by which a political system performs some functions. The traditional political system in pre-colonial era in Nigeria has in parts of Nigeria, a village or district government which fulfills the function of a country or division. In other countries, such political systems have central and local authorities. In this unit, we shall examine different systems in which local governments are classified.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Understand the systems into which local government across nations are classified;
- Differentiate between French and Communist systems from Anglo-Saxon system.

3.0 MAIN CONTENTS

3.1 CLASSIFICATION OF LOCAL GOVERNMENT SYSTEM

Local government systems are classified into three major groups, namely(Ekpe, 2006:72-75):

- i) The French local government system
- ii) The Anglo-Saxon local government system and
- iii) The communist local government system

3.1.1 THE FRENCH SYSTEM

In the French system, local governments are regarded as the local arm of the central government. Under this system, the local government councils are given important power and duties, which they exercise through their principal officers, the mayor. The proceedings of their deliberations, however, are subject to the direction, approval or veto of a civil servant (the prefect), who represents the government of French in the field. The French system is among the most non-representative. Its basic structure, codified by Napoleon 1, developed out of the need of revolutionary France to curtail the power of local notables, while hastening government reform. It stresses clear lines of authority, reaching from the central government's ministry of the interior through

the centrally appointed prefect of the department to the municipality, which has a locally elected mayor and municipal council. The prefect, being both the chief executive of the department and the representative of the central bureaucracy, provides the channel of centralization, with wide authority to over-rule local councils and supervise local expenditures. Variants of this system are found throughout Europe and in former French colonies.

Between the periods 1971 to the early part of 1979, the three states of Nigeria (East Central, South Eastern and Rivers States) structured their local governments deliberately after the French system. The Mid-West State latter borrowed a leaf from the Eastern states. The reason for this system was to whittle down the autonomy of local government and solve the problem of abuse of power by them.

3.1.2 ANGLO-SAXON SYSTEM

The British system of local government is most representative of the major types and has been the model of most of that country's former colonies.

This model is characterized by granting autonomy to local governments by the central government. These powers were usually exercised through elected councils on the county and sub-county

levels. This system was marked by less central government interference and greater local budgetary authority than in other systems. The basic point is that it is the central government that determines how much autonomy the local government will have. Theoretically, the central government can curtail the powers exercisable by local governments. A special feature of the British system is its use of an extensive committee system, instead of a strong executive, for supervising the administration of public services.

3.1.3 MARXIAN SYSTEM

From Marxian perspective, a question may be raised as to whether local government is not merely an instrumental value, established to serve the interests of the bourgeoisie and to buttress its power over the peasants and the masses.

In Marxist-society, there is no need to set up local governments as local government has vibrant life of their own, their activities being designed to serve mainly the interests of the localities. For example, in Russia, local governments constitute a part of a complex of governmental agencies whose main purpose is to serve as an economic planning unit. In Communist China, Local Government is more elaborately structured and plays a somewhat different role. Here, the

focus of the local government system is the country. The population of the country ranges from several hundred thousand to over one million people. It manages local public works including irrigation projects, repairing basic consumer goods and agricultural supplies and equipment. The country is encouraged to develop internally integrated and externally independent economies. However, while most countries have complex systems of local government, those of France and Great Britain have served as models for much of the rest of the world.

SELF-ASSESSMENT EXERCISE

Describe the Anglo-Saxon system of local government administration?

4.0 CONCLUSION

The grouping of local government system into different patterns operated by major political powers was aimed at showing that in every society, every structure in a political system performs some functions. In the French system, local governments are given important power and duties which they exercise through their principal officer, the Mayor. In Anglo-Saxon system, the central government grant local government some autonomy, which are exercised by elected councils. In Marxist societies, activities of local units are designed to serve mainly the interests of the localities.

5.0 SUMMARY

In this unit, we have examined the classification of local government system. Local government has been classified into three major groups, namely: the French system, Anglo-Saxon system and Marxian system. In such societies, there are central and local units, which perform certain functions. In French system, the Mayor performs the function of local government, subject to the direction and approval or veto of the Prefect. In Anglo-Saxon system, the central government grant and curtail the powers exercised by the local government. In Marxist type, local government serves as economic planning unit. The implication of this, is that in traditional political system in Nigeria, there were some parts where a village or district performed certain functions for the central government. This was what informed the adoption of Anglo-Saxon type for the establishment of local units in Nigeria.

6.0 TUTOR-MARKED ASSIGNMENT

- (1) Describe the Marxist system of local government?
- (2) How does the Anglo-Saxon system of local government differ from the French system?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

Eneanya, A.N. (2012), *Local Government Administration in Nigeria: A Comparative Perspective*. Lagos: University of Lagos Press.

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MODULE II

THEORIES, STRUCTURES AND FUNCTIONS OF LOCAL GOVERNMENT ADMINISTRATION

Unit 1: Local Government Theories

Unit 2: Structures of Local Government

Unit 3: Functions of Local Government

Unit 4: Functions of the Local government Legislature

UNIT 1

LOCAL GOVERNMENT THEORIES

Contents

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Contents
 - 3.1 Democratic-Participatory Theory
 - 3.2 Efficiency-Services Theory

3.3	Resource Mobilization Theory
4.0	Conclusion
5.0	Summary
6.0	Tutor-Marked Assignment
7.0	References/Suggestions for Further Reading

1.0 INTRODUCTION

Local government can be described as the lower level of government. It is legally distinct and has powers to raise revenue and undertake assigned responsibilities under a leadership that is elected and answerable to the local population. It can also be stated that local government exercises power that is decentralized in the form of devolution. It is this decentralization of functions that brings about theories to justify the establishment of local government. In this unit, we shall examine the theories adopted for the explanation of rationale for establishing local government.

2.0 OBJECTIVES

At the end of the unit, students will be able to:

- Explain the link between democracy and participation of local community at the local level;

- Explain the link between local government and service delivery theory; and
- Explain resource mobilization theory as basis for mobilizing human and material resources for rural development

3.0 MAIN CONTENTS

3.1 THEORIES OF LOCAL GOVERNMENT

Gboyega (1987) identified two sets of theories. The first set tries to justify the existence of or the need for local government on the ground of its essentiality to a democratic regime or for practical administrative purpose like responsiveness, accountability and control. The second set opposes the first that the existence of local government cannot be justified by any of those reasons mentioned above in that “local government institutions are neither democratic in their internal operation nor admit of responsiveness accountability and control”.

According to the latter argument, local government and democracy stand at the extreme of opposite ends of a polar or are in antithetical relationship to one another, such that the weakness of one is the strength of the other. Gboyega (1987) cited some of the scholars in first category as Mill, Panter-Brick, Wilson, Bentham, Mackenzie, Harold Laski and others. Their lines of arguments as expressed by Gboyega (1987), are;

- (a) services are made relevance to local people and are locally administered
- (b) provides education in citizenship
- (c) provides training in political leadership
- (d) makes available to the government information about localities which is essential for adequately meeting their need efficiently, and minimizes concentration of political power by diffusing it a reality,
- (e) The values stated above promote democracy and contribute to the development of democratic climate).

In domesticating the above theories, Oyediran (1998) argues with reference to Nigeria that;

- (1) certain functions of local government are purely local in character and should be locally demanded ,
- (2) local government gives a viable opportunity for education, and citizenship (political education). In other words, local government provides an opportunity for democratic decision making.
- (3) Local council is more easily held accountable to local groups and individuals than the otherlevels of government and their agencies.
- (4) Local government is a training ground for state and national political leaders, particularly in a developing country, such as: Nigeria. Local government has important role to play in national development.

However, three separate theories of local government are common in literature. They are:

1. Democratic - participatory school of thought
2. Efficiency – service school of thought
3. Resource mobilization theory

3.1.1 DEMOCRATIC – PARTICIPATORY THEORY

This school of thought hold the view that local governments exist solely for the purpose of promoting democracy and participation at the grassroots level, thereby bringing government nearer to the people (Adamolekun, et al; 1988: 62).

Local government offers the local people the opportunity to manage their affairs. It is a tool for grassroots democracy.

3.1.2 EFFICIENCY – SERVICES THEORY

This school of thought emphasizes efficient service delivery. There are some services, such as: local roads, distribution of water supply, housing for low income groups, health services,

agriculture, are of paramount importance to local needs. Local governance in terms of efficient delivery of services is, therefore, inevitable. Local government can provide services to local needs far more efficiently and economically than the central government. (Adamelekun, et al. 1988: 12)

3.1.3 RESOURCE MOBILIZATION THEORY

The third justification is that local governments permit local resources both human and material to be mobilized for rural development. Local governments are, thus, veritable instruments most strategically placed for stimulating grassroots development and bringing about rural transformation (Eminue, 2006:31)

In summary, the theories above emphasize certain basic elements that explain the role of local government administration:

1. Citizen's participation in the management of local affairs.
2. Efficient and efficient provision of essential services or service delivery
3. Resources mobilization for development purposes.

SELF-ASSESSMENT EXERCISE

Explain the concept of democratic-participatory theory of local government?

4.0 CONCLUSION

Local government can be described as the lower level of government. It is legally distinct and has powers to raise revenue and undertake assigned responsibilities under a leadership that is elected and answerable to the local population. It can also be stated that local government exercises power that is decentralized in the form of devolution. Local government provides a platform for participation of citizens to conduct their own affairs, mobilize human and material resources and enhances efficient delivery of services.

5.0 SUMMARY

This unit has examined different theories that justify the rationale for the establishment of local government. The democratic-participatory, efficient service delivery and resource mobilization theories were examined. Hence, it can be stated that the rationale for establishing local government administration could be explained in terms of these theories-enabling citizens to participate in the management of local affairs; resources mobilization for development purposes and efficient delivery of services.

6.0 TUTOR-MARKED ASSIGNMENT

- (1) Explain efficient service delivery theory of local government and its relevance in local government administration?
- (2) Explain resource mobilization theory of local government and its justification for the establishment of local government?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

Adamolekun, L., Olowu, D. and Laleyo, M. (1988). *Local Government in West Africa since independence*. Lagos: University of Lagos Press.

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UNIT 2

STRUCTURES OF LOCAL GOVERNMENT

Contents

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Contents
 - 3.1 Structure of Executive Branch
 - 3.2 Structure of the Legislative Branch

- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Suggestions for Further Reading

1.0 INTRODUCTION

Nigeria operates presidential system of government since 1979. The local government administration as the third-tier of government in Nigeria has its powers divided into three arms of government. There is plurality of administrative structure. They include the executive arm and legislative arm. In this unit, we shall examine the administrative structures of local government.

2.0 OBJECTIVES

At the end of this unit, students would be able to:

- Describe the structure of executive arm of local government and
- Describe the legislative structure of local government

3.0 MAIN CONTENTS

3.1 ADMINISTRATIVE STRUCTURE OF EXECUTIVE ARM

The Executive arm of local government administration comprises the chairman, vice-chairman, supervisors, the secretary and other principal officers of the local government. The office of the secretary to the local government is now political. The staff of the local government (career civil servants) constitutes the administrative unit which is under the supervision of the executive arm of government. They comprise of the “Head of Personnel Management, Heads of department

of works, education, agriculture, health, finance and supplies” (Eneanya, 2012:35).

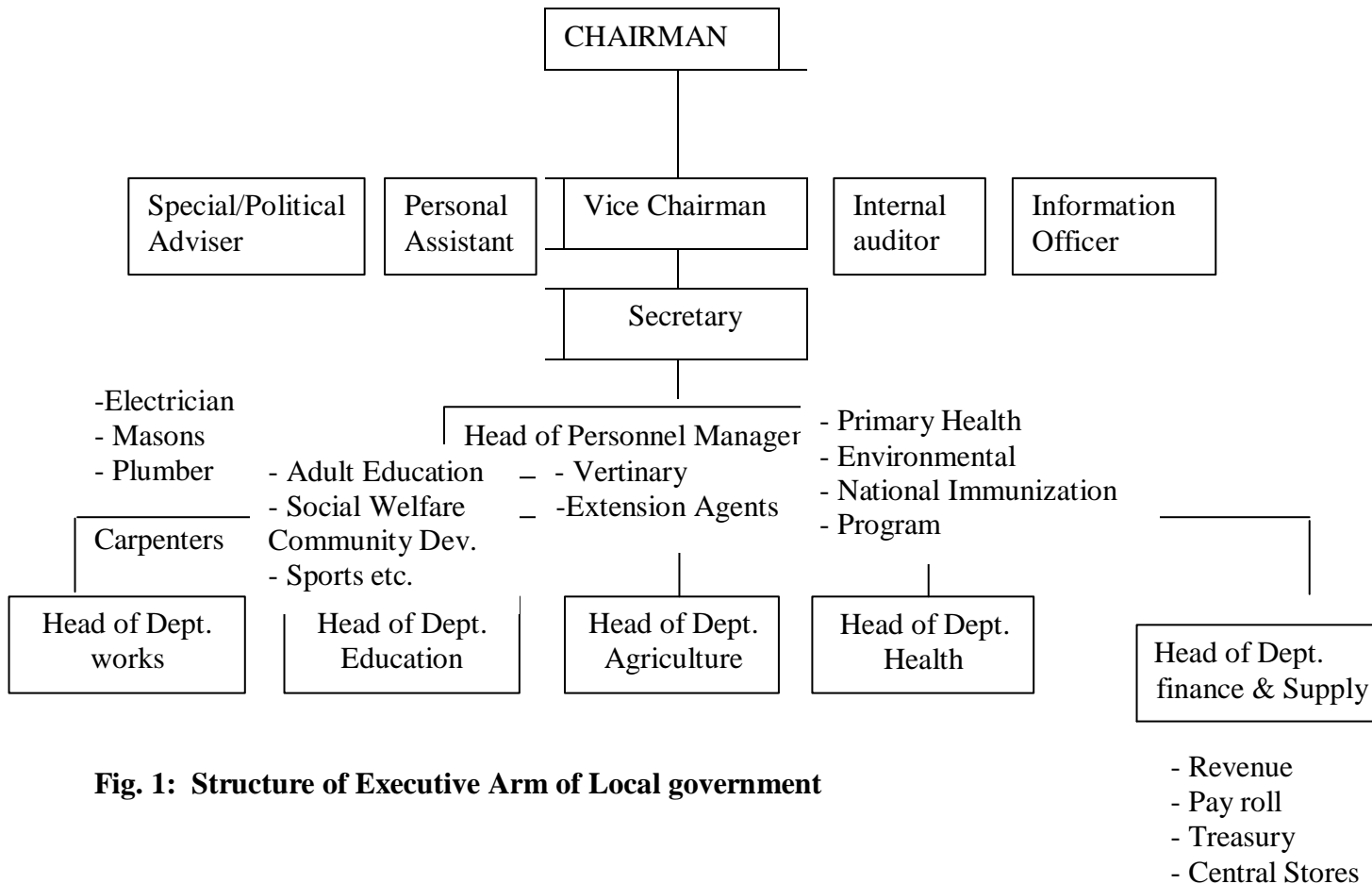


Fig. 1: Structure of Executive Arm of Local government

The Heads of departments are subjected to annual performance evaluation based on concrete achievement. Each Head of department will be evaluated by the Secretary to local government in consultation with the chairman. The secretary will in turn be evaluated by the chairman of the relevant local government.

3.2 STRUCTURE OF THE LEGISLATURE

The Legislative arm of local government consists of elected councilors representing various wards in the local government. The Council is

the legislative arm and consists of the Leader, the Deputy Leader and Councilors. The Council is conferred with the power to make bye-laws. To become effective, such bye-laws must be assented to by the Chairman of the Local Government Council. The Chairman may, however, withhold his assent in exercise of his power of veto. This could be over-ridden by two-third majority of members if the Chairman refuses to assent to bye-law duly passed by the Council.

SELF-ASSESSMENT EXERCISE

Describe the organizational structure of Executive arm of Local government?

4.0 CONCLUSION

In this unit, we have able to examine the organizational structure of local government. Two major structures can be identified-the executive and legislative. The Executive structure comprises of the Chairman, Vice-Chairman, Supervisors and Secretary(which is political) constitute the executive arm of the local government. The legislative arm is made up of the leader of local government council, the Deputy Leader and Councilors. The Legislative arm advises, consults, debates annual budget and liaises with Chairman for efficient management of local government.

5.0 SUMMARY

The organizational structure of local government is made up of the executive and legislative arms. The Executive structure consists of the Chairman, Vice-Chairman, Supervisory councilors, Secretary and Heads of Departments. The Heads of Departments are career officers and are answerable to Supervisory Councilors. The Legislative arm (Council), on the other hand, is made up of the Leader, Deputy Leader and Councilors. The Chairman is the Chief Executive and Accounting Officer of the Local Government. The Chairman's office

acts as the nerve centre where the lines of communication cross, connected and where information is received, processed, stored, assembled, analyzed and dispensed. It is through these communication processes and regulations that local government administration is carried out.

6.0 TUTOR-MARKED ASSIGNMENTS

- (1) Describe the organizational structure of Executive arm of local government?
- (2) Draw the organizational structure of Executive arm of local government and explain the relationship between the Supervisory Councilors and Heads of Departments of local government?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

Eneanya, A.N. (2012). *Local Government Administration: A Comparative Perspective*.

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UNIT 3

FUNCTIONS OF LOCAL GOVERNMENT

Contents

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Contents
 - 3.1 Local government Functions
 - 3.2 Mandatory Functions

- 3.3 Participatory Functions
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Suggestions for Further Reading

1.0 INTRODUCTION

The rationale for a set of functions to be analyzed on the basis of performance in a political system cannot be ignored. Functionalism conceives the entire social system as an organic whole with various parts fulfilling functions that enable it to adapt and survive. It de-emphasizes the role of the individual. In this unit, we shall examine the functions of local government in Nigeria.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Describe the functions of local government that are mandatory and
- Describe the functions of government that they can participate with State governments.

3.0 MAIN CONTENTS

3.1 LOCAL GOVERNMENT FUNCTIONS

The functions of local governments in Nigeria as a third-tier of government is clearly recognized in the Fourth Schedule of 1979, 1989 and 1999 constitution, Section 7(1) and these include (Quoted in Eneanya, 2012):

3.1.1 MANDATORY LOCAL GOVERNMENT FUNCTIONS

- i. Collection of rates (including tenement rates) radio, television and non-mechanically propelled vehicle licenses(bicycles and trucks);
- ii. Establishment and maintenance of cemeteries, burial grounds, homes for destitute and infirm, market, motor-parks, public conveniences, roads, drawn and recreation facilities (including play-grounds and parks);
- iii. Construction and maintenance of roads, streets lighting, drains and other public highways, parks, gardens, open spaces or such facilities as may be prescribed from time to time by the State House of Assembly;
- iv. Assessment of privately owned house or tenements for the purpose of levying such rates as may be prescribed by the house of Assembly of State;
- v. Naming of roads and streets and numbering of houses;
- vi. Licensing, regulation and control of the sale of liquor.
- vii. Control and regulation of outdoor advertising and hoardings, pots, shops, kiosks, restaurants and laundries;
- viii. Registration of all births, deaths and marriages.

3.1.2 FUNCTIONS IN WHICH LOCAL GOVERNMENTS ARE TO PARTICIPATE

- i. State economic planning and development;
- ii. Provision and maintenance of primary education services, adult and vocational education;
- iii. Development of agriculture and natural resources (other than the exploitation of minerals)
- iv. Provision and maintenance of health services.
- v. Other functions as may be conferred on a local government council by the House of Assembly of the State.

SELF-ASSESSMENT EXERCISE

Describe the mandatory functions of local government in Nigeria?

4.0 CONCLUSION

The functions of local government are numerous. Fourth Schedule of the 1999 Constitution made elaborate provisions for the functions of local government. These functions cut across all states of the federation. However, the environment of every local government council will to a large extent determine the nature and volume of the functions of the local government. For instance, the functions of urban local governments will significantly differ from that of rural local governments in respect of the degree of involvement and nature of the roles to be performed. Despite this, all local governments throughout the federation shall perform these functions.

5.0 SUMMARY

In this unit, local government functions have been examined. Two major types of functions are identified, namely: mandatory and participatory functions. Mandatory functions comprise of collection of rates, radio and television licenses; establishment and maintenance of cemeteries control and regulation of outdoor advertising, registration of births, deaths and marriages. On the other hand, participatory functions of local government with State governments comprise of provision and maintenance of education and health; development of agriculture and natural resources; participation in State economic planning and development. All these are contained in the Fourth Schedule of 1999 Constitution.

6.0 TUTOR-MARKED ASSIGNMENT

- (1) Describe the mandatory functions of local government in Nigeria?
- (2) Describe the mandatory and participatory functions of local governments in Nigeria?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

Eneanya, A.N. (2012). *Local Government Administration: A Comparative Perspective*.

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UNIT 4

LEGISLATIVE FUNCTIONS IN LOCAL

GOVERNMENT ADMINISTRATION

- 1.0 Introduction
- 2.0 Objectives

3.0	Main Contents
3.1	Functions of Council
3.2	Mode of Exercising Legislative Powers
4.0	Conclusion
5.0	Summary
6.0	Tutor-Marked Assignment
7.0	References/Suggestions for Further Reading

1.0 INTRODUCTION

The local government Council is the legislative arm. It consists of the Leader, the Deputy Leader and Councillors. The powers vested in the Council as conferred on it by law can be described as its functions. In this unit, we shall examine the functions of local government Council.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Describe the law making function of the Council;
- Describe the vetting and monitoring functions in project

implementation; and

- Explain the mode of making laws and exercising legislative powers

3.0 MAIN CONTENTS

3.1 FUNCTIONS OF COUNCIL

The Legislative arm of local government, which is the Council is conferred with powers and functions as follows:

- 3.1.1 Debating, approving or amending the annual budget proposed by the Executive arm. Though, the Chairman could veto these activities, members of the Council could over-ride this decision by two-third majority votes;
- 3.1.2 Making of bye-laws. Bye-laws have the force of law within the local government are;
- 3.1.3 Vetting and monitoring the implementation of projects and programmes in the annual budget of the local government;
- 3.1.4 Examining and debating the monthly statements of income and expenditure rendered to it by the Chairman of Local government; and
- 3.1.5 Advising, consulting and liaising with the Chairman of the Local government.

3.2 MODE OF EXERCISING LEGISLATIVE POWERS

The legislative powers vested in the local government Council shall be exercised by bye-laws duly passed by the Council. To become effective, such bye-laws must be assented to by the

Chairman of the Local Government, if the bye-law is passed again by the Council by two-third majority of members. In such cases, the bye-laws shall become effective and assent of the Chairman of Local Government shall not be required in respect of such a bye-law(Eneanya, 2012).

SELF-ASSESSMENT EXERCISE

Describe the functions of local government Council?

4.0 CONCLUSION

In this unit, we have examined the functions of the Legislative arm of local government. These functions include making of bye-laws, vetting and monitoring of implementation of programmes and projects, examination of monthly statement of income and expenditure, liaising, counseling and advising the Chairman on local affairs.

5.0 SUMMARY

The legislative arm of the local government is saddled with the powers of making bye-laws. Before a bye-law becomes effective, it must be assented to by the Chairman. The Chairman may withhold assent in exercise of his power of veto. However, the Chairman's veto may be over-ridden by two-third majority of members of the

Council. Furthermore, the Council makes resolutions and approves local government programmes and projects. It examines monthly statement of income and expenditure submitted by the local government chairman. Finally, it advises, consults and liaises with the Chairman in local affairs.

6.0 TUTOR-MARKED ASSIGNMENT

- (1) Describe the functions of the Council of Local government?
- (2) Describe how the legislative powers of the Council are exercised?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

Eneanya, A.N. (2012). *Local Government Administration: A Comparative Perspective*.

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MODULE III

LOCAL GOVERNMENT REVENUE , PROBLEMS AND CONTROL

UNIT 1: Sources of revenue

UNIT 2: Improving Revenue generation

UNIT3: Problems of local government

UNIT 4: Control of local government

UNIT 1

SOURCES OF LOCAL GOVERNMENT REVENUE

Contents

1.0	Introduction
2.0	Objectives
3.0	Main Contents
3.1	External Sources
3.2	Internal Sources
4.0	Conclusion
5.0	Summary
6.0	Tutor-Marked Assignment
7.0	References/Suggestions for Further Reading

1.0 INTRODUCTION

The performance of any local government is subject to the availability of funds. There are many responsibilities of local government that required adequate funding. In this unit, we shall examine the sources of revenue of local government in Nigeria.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Describe the sources of generating revenue externally; and
- Explain the sources of generating revenue internally

3.0 MAIN CONTENTS

The sources of revenue of local government in Nigeria include: the external and internal sources.

3.1 EXTERNAL SOURCES

Statutory Allocation from federal Government – the Nigerian constitution stipulates that the revenue of the federation shall be shared between the three tiers of government federal, state and local governments. Consequently, local governments receive a percentage of the federally-generated revenue annually. This percentage changes with time, according to acts and decrees. Presently, it stands at slightly above 20%.

Grants from the federal or state government grants are money made available to local government by federal or state governments to help them large projects or provision of infrastructure special grants may also be made available by Federal or state government to assist local government provide some services of national importance, such as; education agriculture, health environmental/ecological problems or natural disasters.

Value Added Tax (VAT) – Local government share from value Added tax generated revenue that distributed by the federal government of Nigeria. Value Added Tax (VAT) system started in Nigeria in 1995.

3.2 INTERNALSOURCES

Revenue can also be generated internally:-

- (i) Loans from Bank – The local government can obtain loans from financial institutions to enable them finance development

projects, such as: water supply, rural electricity, construction of roads and provision of health facilities. This is however, subject to the approval of state government.

- (ii) Rates – This refers to the levies collected by local government authorities from the services the council provides. The rates are collected on market stalls, motor Parks, supermarkets and shops, some rates are also collected from bicycle and motor-cycle licences television, radio sets etc.

Special levies This refers to levies imposed on the residents of local governments as a means of generating internal revenue.

Income from commercial ventures one of the sources of revenue to local governments is income from their commercial activities. Some local governments maintain transport services, farms, holiday resorts, consultancy services, guest houses etc.

- (iii) Revenue from investments – local government derive revenue by investing their money in profit yielding economic ventures, such as buying of shares, entering into partnership with viable commercial organizations and financing economic projects that could provide good revenue in return.
- (iv) Personal income tax – Local government councils collect income taxes from non-salary earners, keep some percentage and pay the balance to the state government.

- (v) Courtfines – Court fines are imposed on individuals that violate local government bye-laws, sanitary regulations and ban on street trading and hawking.
- (vi) Property or tenement rate – Property or tenement rate is imposed on the owners of private and commercial houses. It is based on the value of the building and property.
- (vii) Donations – Donations from public spirited individuals in the local government originates from special community project.
- (viii) Miscellaneous – Sales of seized goods and selling of Asset (Ashiru, 1998:5). Moreover, local government can raise revenue from other unexplored areas, such as: building residential estates, floating micro-finance banks, engaging in trading activities, poultry, food processing transport activities and other small scale business.

SELF-ASSESSMENT EXERCISE

Describe the sources of generating local government revenue internally?

4.0 CONCLUSION

In this unit, we have examined the sources of generating local government revenue. These include external and internal sources.

External sources include statutory allocation from the federal government, grants-in-aids and remittance from value-added tax (VAT). The internal sources include loans, rates, personal income tax,

court fines, tenement rates, donation and so on. Local government generates their funds through these sources.

5.0

SUMMARY

The capacity of the local government to provide efficient services to the community depends not only on the political relationship that links them to the centre but just as importantly on their level of economic activity and resources available to them. A key instrument to make funds available is through the external and internal sources. External sources include statutory allocation from the federal government, grants-in-aids and remittance from value-added tax (VAT). The internal sources include loans, rates, personal income tax, court fines, tenement rates, donations and so on. These sources of revenue generation would no doubt make fund available for socio-economic development.

6.0 TUTOR-MARKED ASSIGNMENT

- (1) Describe the sources of generating revenue by local government in Nigeria?
- (2) Describe the internal sources of revenue generation in Nigeria?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

Eneanya, A.N. (2012). *Local Government Administration: A Comparative Perspective*.

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UNIT 2

IMPROVING REVENUE GENERATION OF LOCAL GOVERNMENT ADMINISTRATION

- 1.0 Introduction**
- 2.0 Objectives**

3.0	Main Contents
3.1	Challenges of Revenue generation
3.2	Suggestions to improve Revenue generation
4.0	Conclusion
5.0	Summary
6.0	Tutor-Marked Assignment
7.0	References/Suggestions for Further Reading

1.0 INTRODUCTION

Public finance management connotes the receipt and application of funds . To improve the operational activities of local government and improve on revenue generation demands new strategies. In this unit, we shall examine different strategies open to local governments to improve their revenue bases.

2.0 OBJECTIVES

At the end of the unit, students should be able to:

- Explain the necessity for federal allocation to be allocated directly to the local government; and
- Suggest ways of improving revenue generation in local government

3.0 MAIN CONTENTS

3.1 CHALLENGES OF REVENUE GENERATION

Bribery and corruption are the major problem in the local governments. Most revenues collected end up in private pockets. Revenue collectors should be adequately trained and monitored other revenue leakages avenues to private pockets in the local governments are: finance/revenue section, billing and tax records section, property valuation and pay roll etc. These sections can be computerized to meet contemporary accounting standards and facilitate inspection when needs arises (Ojofertimi, 1998:11). Measures should also be put in place to minimize the discretion of assessors, especially in motor parks and tenement rates. Efficient and fraud proof supervision machinery can make revenue generated safe for socio-economic development. Joint state – local government account – this joint account should be stopped as state governments in Nigeria have found as avenue to divert local government funds and starved of fund. The federal decision to allocate fund directly to local governments, if enforced would save the situation.

3.2 SUGGESTIONS TO IMPROVE REVENUE GENERATION

The following suggestions can boost revenue base in local government:

- (i) Allowing local governments to receive direct allocation from federation account, instead of passing through “joint state-local government account”.
- (ii) Effective monitoring of revenue collection officers. Some officers use fake receipts and other fraudulent activities to administer revenue collection. In most cases, fund generated often find itself in private pockets. Close monitoring and supervisions would check such leakages.

- (iii) Federal and State governments should increase grant-in-aid to local governments in view of so many projects begging for attention at the grass-root levels,
- (iv) Local government should partner with private sectors for developmental Projects. The rapid nature of urbanization calls for corporate bodies to be aware of their social responsibilities in this regard.
- (v) Local governments should embark on people-oriented projects, such as: employment generation projects, production and trading activities, food processing projects, etc. Such projects would not only promote employment generation but contribute in socio-economic development.
- (vi) Local governments can raise additional revenue by introducing fees and charges in such of its services, preventing fraud and effective checks on tax evaders(Ugwu, 2003: 47).
- (iv) The council should be elected and members elect chairman and cabinet members. The chairman and his cabinet would work full time, while councilors would work part-time and paid sitting allowances. This would reduce the cost of governance at the local level. The jumbo pay enjoyed presently by elected chairman and councilors are the cause of “do or die” politics .By that arrangement, persons with means of livelihood and genuine

interest to serve will emerge, as against those who see the grassroots politics as a “milk cow”.

- (v) Local governments can raise additional revenue through a variety of means, such as: increasing their user fees and charges, raising local taxes, introducing new taxes , introducing new taxes and charges, and selling of assets, etc.
- (vi) The local government should use improvement programmes, by adopting effective cost-cutting devices to achieve objectives.
- (vii) The Planning , Research and Statistics unit of the local government should use computer system to prepare data bank on properties, building, number of vehicles using the motors parks, market stalls, and make effective planning of sources of revenue and how to mobilize these resource for revenue generation.
- (viii) Finally, there is need to maintain accountability, transparency and effective record management of revenue generated . In other words, there is need to computerize finance and revenue section of local government in order to sustain financial accountability and probity.

SELF-ASSESSMENT EXERCISE

What are the challenges of generating revenue in local government?

4.0 CONCLUSION

In this unit, we have examined the challenges of revenue generation and how to improve on revenue generation in local government. The importance of local government as an instrument of grass-root democracy and development cannot be over-emphasized; yet, it has not contributed much to national development. This is because of poor revenue base and government interference on its activities. The over-reliance on revenue from federation account and inability to mobilize local resources has become the bane of local government administration in Nigeria. The way forward is to adopt some of the suggestions on revenue generation in order to bring rapid socio-economic development.

5.0 SUMMARY

The financial resources of most local governments in the country when compared to the needs and demands of the people to be met paint a gloomy picture. In order to improve the financial bases of local governments in Nigeria, certain strategies must be adopted to increase the financial resources. Some of the strategies include monitoring revenue collectors efficiently, local government embarking on money yielding projects, regular auditing of accounts, increasing the user fees and charges, selling of assets, involving private partnership, checking of corruption and so on. These measures would enhance availability of funds for economic and developmental activities.

6.0 TUTOR-MARKED ASSIGNMENT

- (1) What are the challenges of generating revenue in local government in Nigeria?
- (2) Describe measures to improve revenue generation in local government in Nigeria?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

Eneanya, A.N. (2012). *Local Government Administration: A Comparative Perspective*.

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UNIT 3

PROBLEMS OF LOCAL GOVERNMENT IN NIGERIA

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Contents
 - 3.1 Problems of local government
- 4.0 Conclusion
- 5.0 Summary

6.0 Tutor-Marked Assignment

7.0 References/Suggestions for Further Reading

1.0 INTRODUCTION

The strategic importance of local government to the national development cannot be over-emphasized. Attempts to provide reasons for the ineffectiveness of local government in the development process have attributed to excessive government control and interference. In this unit, we shall examine the problems of local government in Nigeria.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Describe various problems which confront the local government; and
- Understand how to overcome the problems confronting local government administration in Nigeria

3.0 MAIN CONTENTS

3.1 PROBLEMS OF LOCAL GOVERNMENT

The following are the problems of local government administration:

- (i) Inadequate Finance

Most Local Governments do not have enough fund to carry out its statutory responsibilities. The internally generated funds are

inadequate grants and federal allocated revenues are manipulated by most state governments, through Joint-Account and funds diverted. Hence, funds available to local governments are grossly inadequate that will enable the comical provide social amenities and other community development projects. Financial autonomy is host by operation of Joint-Account by states and local governments.

(ii) Bribery and Corruption

Bribery and corruption involving the officials of the local governments undermine the effective performance of the local government administration. Much money that should accrue to local governments is lost to personal pockets through the use of fake receipts and inefficient collection mechanisms.

(iii) Shortage of skilled personnel

There is acute shortage of the right caliber of personnel for local governments. Local governments need competent trained, experienced and competent personnel to provide an efficient and effective service to the public.

(iv) Political Interference

State and Federal Governments unnecessarily hinder local government programmes and policies even where they do not contradict current statutes or policies. In addition, political parties interfere with the

appointment of personnel-along party lines in local governments when their members are in power.

(v) Poor Leadership

There is the paucity of top leadership positions, which could coordinate and direct the departmental heads. Over the years, there has been the proper of having competent leadership.

4.16 Tribalism, Nepotism and Favouritism. These feature in the appointment promotion and discipline and transfer of local government staff. These constitute another problem of commitment to ethnic, sectional and partisan personal interests have made it difficulty and sometimes impossible. For many local government authorities to function effectively (Eneanya, 2009).

(vi) Gradual Erosion of Power and autonomy.

Most state governments have taken over certain services of the local governments by excessive control of local government activities. The state governments established Local Government activities. The State Governments established Local Government service commissions to help them appoint promote, transfer and terminate employees. Beside, at the governments there is office of Adviser on political and Local government matters. The office exert officials State Houses of Assembly are empowered to provide for the establishment, structure, composition, finance and functions of such Local Governments. There is also provision for control of Local Government finance by State Houses of Assembly (Constitution of 1999, chapter and sections 7 (i) and chapter 6 subsections 162 subsections 6 and 8). This has made

Local Government appendages of State Government, hence their performances are ineffective (Ugwu, 2003:52).

(vii) Partisan Politics and victimization

Elected counselors see themselves as the party's representative in the council. Beside, where the political party control the chairmanship and councillorship position in the Local Governments, there is a situation of antagonism and non-cooperation, stalling or showing down the Local Government programmes.

(viii) Unequal size of Local government

The indiscriminate creation of Local Governments by Federal and State Governments has resulted in a situation, where some Local Governments are large to effectively administer their whole area, while others are small to generate revenue to undertake meaningful programme.

(ix) Poor salaries and conditions of service.

The conditions of service in the Local Governments are often very poor of the Local Governments to attract high quality personal.

SELF-ASSESSMENT EXERCISE

What are the problems confronting local government administration in Nigeria?

4.0 CONCLUSION

In this unit, we have examined in details numerous problems confronting local government administration.. The reasons given include political interference, excessive control by the state government, usurpation of functions, poor financial base, poor salaries and conditions of service, poverty, corruption and so on. All these have contributed to the ineffectiveness of local government in development process.

5.0 SUMMARY

Despite the strategic importance of local governments in developmental process, their capacities to generate revenue have been dismal. Some of the local governments are very poor and depend heavily on allocation from federation account. Among other problems of local government, poor leadership skills, corruption and poor skilled personnel account for inefficiency and ineffectiveness of local government administration in Nigeria.

6.0 TUTOR-MARKED ASSIGNMENT

- (1) Excessive control and interference of State governments on local government account for the major problem of local government. Discuss.?
- (2) Describe the problems confronting local government administration in Nigeria?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READING

Eneanya, A.N. (2012). Local Government Administration: A Comparative Perspective.
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UNIT 4

CONTROL OF LOCAL GOVERNMENT

Contents

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Contents
 - 3.1 Mechanisms of Local government control
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Suggestions for Further Reading

1.0 INTRODUCTION

The 1999 Constitution in its provisions of Section 7, reorganizes the local government system and also guarantees it. Besides, the State government by the same provision of Section 7 of the Constitution exercises authority over the local government. By virtue of this provision, every State government is to ensure the existence of democratically elected local government councils under a law which provides for their establishment, structure, composition, finance and functions(Ugwu, 2003: 87). The implication of the above is that a local government council cannot exercise the functions allocated to it in the Fourth Schedule to the Constitution until the State House of Assembly had passed a law, which empowers the local government councils to perform those functions listed in the Fourth Schedule to the Constitution. In this unit, we shall examine how the central government and States control the local government.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Describe the legislative control over local government administration;
- Describe the Executive control of local government;
- Describe the administrative control of local government administration; and
- Explain the judicial control over local government administration

3.0 MAIN CONTENTS

3.1 MECHANISMS OF LOCAL GOVERNMENT CONTROL

Local Governments are controlled through the following mechanisms:-

3.1.1 Legislature control.

Local Governments are established by an act of parliament or decree stating their functions, powers and limitations. Their operations are guided by these laws. Furthermore, the legitimate could amend these laws or investigate the performance of or allegations about particular Local Governments.

3.1.2 Administrative control.

The power of supervising the activities of Local governments is delegated to the |Ministry or department responsible for Local government. The department is empowered to approve their annual budgetary estimates, major projects, strategies of implementation and bye-laws before they take effect. There is also internal audit that checks the accuracy according records within the councils.

The commissioner of Local government uses default power to control the Local government. The commissioner has the power to dissolve Local government because financial irresponsibility or corruption and appoint care taker committee. This is an effective weapon to check and control the Local government through periodic inspection, the State government exercise administrative control over certain services administered by Local government. For example inspection of schools, roads and health centres. The purpose of inspection is to assist or advice the Local government.

Dissatisfied members of the public can seek redress through the public complaints commission where their rights and liberties are violated by Local government employees. The commission could investigate the activities of such employees and recommend punitive or corrective measures.

3.1.3 Financial control

The supervisory department is empowered to approve or reject Local government budgetary estimates. They may not introduce rates or levies, implement new projects or obtain internal or external loans without approval by the Supervisory Ministry. The Executive council of a State may exempt any persons or class of persons within a Local governments area of that State from liability government imposed by the Local government (Ezeani, 200:269). State's auditor-general audit the accounts of Local governments.

3.1.4 Judiciary control

Local governments are legal entities which can sue and be sued. Courts can call Local government or their official to order if they breach any law establishing or guiding them. The courts can declare their actions illegal or unconstitutional if they violate the provisions of the constitution.

SELF-ASSESSMENT EXERCISE

Describe that administrative control over local government administration?

4.0 CONCLUSION

In this unit, we have examined the mechanisms of State government's control on Local government. The mechanisms include legislative, administrative, financial and judicial control. These are the means through which the central government exercise control over the local government.

5.0 SUMMARY

Local government is the third tier of government. It enjoys the freedom of action to enable it perform its constitutional functions unfettered. However, the 199 Constitution by provision of Section 7 exercises authority over the local government. By the virtue of the provision, every state government is to ensure the existence of democratically elected local government councils under a law which provides for their establishment, structure, composition, finance and functions. In other words, the functions allocated to the local government cannot be exercised until the State House of Assembly passed a law empowering the council to perform those functions. Besides, other mechanisms

are also used to control the local government, such as: legislative, administrative, financial and judicial controls. The implication of this is that local government does not enjoy absolute autonomy in the performance of its functions.

6.0 TUTOR-MARKED ASSIGNMENT

- (1) Explain how the Local governments are controlled by State governments?
- (2) Describe how the State governments can control the activities of Local governments in Nigeria.

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READINGS

Eneanya, A.N. (2009). *Public Administration Principles, Techniques and Applications*. Lagos. Concept Publications

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MODULE IV

HUMAN RESOURCES MANAGEMENT IN LOCAL GOVERNMENT

UNIT 1: Staffing in local government administration

UNIT 2: Promotion, Transfer, Discipline and Retirement

UNIT 3 : Training and Development in local government administration

UNIT 4: Industrial Relations in local government administration

UNIT 1

STAFFING IN LOCAL GOVERNMENT ADMINISTRATION

Contents

- 1.0 Introduction**
- 2.0 Objectives**
- 3.0 Main Contents**
 - 3.1 Staffing function**
 - 3.2 Appointment**
 - 3.3 Junior Staff recruitment**
 - 3.4 Senior Staff recruitment**
 - 3.5 Confirmation of Appointment**
 - 3.6 Local government Service Commission**
- 4.0 Conclusion**
- 5.0 Summary**
- 6.0 Tutor-Marked Assignment**
- 7.0 References/Suggestions for Further Reading**

1.0 INTRODUCTION

To attract the skilled personnel required and protect career Local Government officials from the buffetings of partisan politics, there is the need to ensure the maximum utilization of the scarce high-calibre manpower resources available to Local Government. In this unit, we would examine the staffing processes of local government administration in Nigeria.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Describe staffing functions
- Describe different categories of appointment in local government administration
- Explain how staff of local government is utilized for efficient delivery of service

3.0 MAIN CONTENTS

3.1 STAFFING FUNCTION

The local government has important staffing function to perform (Guidelines of Local government reform, 1976:19):

1. Ensuring that they are available quantity and quality staff that would enable them discharge their responsibilities;
2. Laying down the terms and conditions of service for local government staff, so as to ensure that they are directly equated to those of the State Civil Service;
3. Promote local government training schemes at various levels for administrative, financial, professional and technical staff in cooperation with training institutions and other government ministries.

3.2 RECRUITMENT IN LOCAL GOVERNMENT

Each Local Government shall undertake the appointment, discipline and promotion of its staff on Grade Levels 01-06 under general and unified guidelines to be provided by the Local Government Service Commission, while officers on Grade levels 07 and above shall be appointed, posted, disciplined and promoted by the Local Government Service Commission, provided that all appointments shall be made to unfrozen posts in the approved budget of the Local Government.

With respect to recruitment, appropriate pre-entry qualifications shall be uniformly applied as provided in the approved scheme of service for Local Government employees whose provisions shall be STRICTLY applied

In carrying out recruitment into the Local Government Service, the Local Government and Local Government Service Commission shall take full account of the geographical spread and socio-economic diversities of the Local Government Area.

Each Local Government shall be restructured vertically and horizontally to management efficiency and effectiveness, high degree of specialization, job satisfaction, optimum span of control and clear lines of authority and responsibility .

All recruitments by the Local Government Junior Staff Management Committee (JSMC) must, as a rule, be in consonance with the manpower needs of the Local government as provided in the approved Local Government Estimates. Any violation of the provision of the Section will be surcharged and the person so irregularly appointed be summarily removed from the service of the Local Government

All applicants for positions in Grade Levels 01-06 in a Local Government shall apply directly to the Local Government of their choice. In all cases, all eligible candidates for appointments shall be interviewed by the Junior Staff Management Committee ..

All direct appointment to post on Grade Levels 07 and above be by open advertisement to the general public, and copies of such advertisements shall be sent to all the Local Governments within the State.

All letters of appointment shall be signed by the Head of the Department of personnel Management in the case of posts graded 01-06, and by the Secretary of the Local Government Service Commission in the post on Grade Levels 07 and above. Returns of all appointments made by each Local Government shall be rendered monthly to the Local Government Services Commission.(Eneanya, 2012).

3.2.1 TEMPORARY APPOINTMENT

Recruitment of persons into vacation, part-time or temporary post not exceeding three months shall be decentralized. Returns of all vacation, part-time and temporary appointment made shall be sent to the Local Government Service Commission monthly. Such returns shall show the name, date of birth, date of appointment, grade, qualifications State of origin .of employee and up-to-date, intra-state distribution of existing staff in the grade in the Local Government.

3.2.2 ACTING APPOINTMENT

Acting appointments, where necessary, shall be approved by the Chairman Local Government in respect of local Government employees on Grade Levels 01-06 and relevant returns rendered to the commission on monthly basis. In case of officers on Grade 07 and above,

acting appointment, where necessary, shall be approved by the Local Government Service Commission.

3.2.3 DISABLED PERSONS APPOINTMENT

All Local Governments shall observe the presidential order which grants disabled persons special concessions in appointment to posts in the public service.

All returns and information required to be submitted to the Local Government Service Commission shall be so submitted not later than the last day of the subsequent month. Such returns shall be accompanied with the minutes of the relevant meeting of the Junior Staff Management Committee.

3.2.4 CONTRACT APPOINTMENT

The provision of the Local Government Staff Regulations shall apply in all cases to contract appointments, except in the case of non-Nigerians married to Nigerians. Such Nigerians shall remain on contract until granted Nigerian citizenship. Where they are not eligible for Nigerian citizenship, then contract shall be reviewed every two years and they shall be considered for promotion along with their colleagues as appropriate, as long as they stay married to Nigerians.

Retired officers may only be re-engaged into career posts in accordance with the Rules and Regulations spelt out in the existing Local Government Staff Regulations.

3.3 JUNIOR STAFF RECRUITMENT

Each local government shall have Junior Staff Management Committee (JSMC), which will have responsibility for the appointment, promotion and discipline of officers on grade levels 01-06. In all cases, all eligible candidates for appointments shall be interviewed by Junior Staff Management Committee. In all cases, the composition of JSMC shall:

- Reflect the geographical spread of the local government area;
- The JSMC shall consist of one representative from each department of local government not below grade level 09 and shall be chaired by the Head of Department of Personnel Management in the local government.
- The Committee shall determine personnel matters of local government employee on grade levels 01-06.
- All applicants for positions on grade levels 01-06 in a local government shall apply directly to the local government area of their choice.

3.4 SENIOR STAFF RECRUITMENT

- The appointment, promotion and discipline of officers on Grade level 07 and above shall be the responsibility of the local Government Service Commission;
- The principle of geographical spread and socio-economic diversity of the state shall be taken into full account;
- All direct appointments to the post on Grade levels 07 and above shall be by open advertisement to the general public and copies of such advertisements shall be sent to all local governments within the state.

3.5 CONFIRMATION OF APPOINTMENT

Confirmation of all probationary appointments shall be carried out by the Local Governments in the case of officers on Grade levels 01-06 and by the Local Government Service Commission in the case of officers on Grade Level 07 and above. The appropriate Heads of Department shall make recommendations to the Head of the Department of personnel management for consideration of the Junior Staff Management Committee (JSMC). The

names of officers so confirmed shall be submitted on a monthly basis to the Local Government Service Commission for gazette action.

3.6 LOCAL GOVERNMENT SERVICE COMMISSION

The Local Government Service Commission shall perform the following functions:

- (a) Appoint, post, promote and discipline Local Government employees on Grade Level 07 and above. In doing so, the principle of geographical spread and socio-economic diversity of the State shall be taken into full account. The guidelines for promotion shall be based on the generally accepted principle of experience, performance on the job, length of service, good conduct, relevant qualification, training, performance at interview and relevant examination where appropriate;
- (b) set up general uniform guidelines, for appointment, posting, promotion and discipline;
- (c) Monitor the activities of each Local Government on appointment, discipline and promotion of Local Government employees on Grade 01-06, in order to ensure that the guidelines are strictly and uniformly applied.
- (d) Serve as an Appellate body for all petitions from Local Governments in respect of appointments, promotions and discipline; the decision of the Local Government Service Commission shall be binding on all Local Governments and above shall have the right to appeal to the Governor
- (e) Maintain comprehensive and up-to-date seniority lists and nominal rolls the local Government Service as a whole;
- (f) submit an annual report of its activities to

- (i) all Chairman of Local Government in the State
 - (ii) the office of the State Governor, and
 - (iii) the State House of Assembly
- (g) Maintain a monthly Local Government gazette newsletter to convey, in particular
- (i) the bye-law passed by the Local Governments in the State and
 - (ii) staff movements including new appointments, confirmations, promotions and retirement/dismissal
- (h) Assures responsibility for manpower planning, development and training in the senior cadres (GL 07 and above) of the Local Government Service;
- (i) keeps the 1% Local Government Training fund for the training of members of the Unified Staff
- (j) Restructure and strengthen the Department and thereafter, periodically review and propose modifications in operational method and organizational structure of the Local Government Services.
- (k) The Local Government Staff Pension Board Office, which is at present a separate office, shall remain so.(Eneanya, 2012).

SELF-ASSESSMENT EXERCISES

Describe the staffing functions of local government?

4.0 CONCLUSION

In this unit, we have examined the staffing function and recruitment process in local government. All appointments to local government service are categorized according to the positions applied for.

Thus, all applicants for positions in Grade Levels 01-06 in a Local Government shall apply directly to the Local Government of their choice. In all cases, all eligible candidates for appointments shall be interviewed by the Junior Staff Management Committee. Finally, all direct appointment to post on Grade Levels 07 and above is by open advertisement to the general public, and copies of such advertisements shall be sent to all the Local Governments within the State.

4.0 SUMMARY

Staffing function entails ensuring that employees are in available quantity and quality. It also entails laying down the terms and conditions of service for local government employees. Appointment to various positions is conducted by Junior Staff Management Committee for grade level 01 – 06; and by Local government Service Commission for grade level 07 officers and above.

Confirmation of all probationary appointments shall be carried out by the Local Governments in the case of officers on Grade levels 01-06 and by the Local Government Service Commission in the case of officers on Grade Level 07 and above. The appropriate Heads of Department shall make recommendations to the Head of the Department of personnel management for consideration of the Junior Staff Management Committee (JSMC). The names of officers so confirmed shall be submitted on a monthly basis to the Local Government Service Commission for gazette action.

6.0 TUTOR-MARKED ASSIGNMENT

- (1) What are the staffing functions in local government administration?
- (2) What are the functions of Local government Service Commission?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READINGS

Eneanya, A.N. (2009). *Public Administration Principles, Techniques and Applications*. Lagos. Concept Publications

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UNIT 2

PROMOTION, TRANSFER ,DISCIPLINE AND RETIREMENT IN LOCAL GOVERNMENT ADMINISTRATION

Contents

- 1.0 Introduction**
- 2.0 Objectives**
- 3.0 Main Contents**
 - 3.1 Staff Performance and Promotion**
 - 3.2 Staff Transfer**
 - 3.3 Secondment**
 - 3.4 Discipline**
 - 3.5 Retirement**
- 4.0 Conclusion**
- 5.0 Summary**
- 6.0 Tutor-Marked Assignment**
- 7.0 References/Suggestions for Further Reading**

1.0 INTRODUCTION

A promotion is a move of an employee to a job within the organization which has greater importance and usually higher pay. Frequently the job has higher status and carries improved fringe benefits and privileges. Its purpose is to improve both the utilization and motivation of employees. A Transfer connotes a move to a job within the company which has approximately equal importance, status and pay. Discipline is employed in organizations to correct misconduct or deviant behavior to rules and regulations. Retirement of employees is based on age attainment of 60 years or 35 years of service, whichever comes first. In this unit, we shall examine the issues of promotion, transfer, discipline and retirement in local government administration in Nigeria.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Explain promotion processes in local government administration
- Describe how employees are transferred in local government administration;
- Explain how an employee is disciplined in local government administration; and
- Understand the retirement conditions and reward associated with it in local government administration

3.0 MAIN CONTENTS

3.1 STAFF PERFORMANCE AND PROMOTION

Rewards and sanctions shall be based on concrete measurable performance. All promotions shall be based on relative merit (performance, seniority, additional qualifications, and so on) .

Local Government shall have power to promote and give advancements to all staff on Grade-Levels G 1 -06 subjected to the following guidelines:

The Head of the Department of Personnel Management shall prepare, at the end of every year, comprehensive staff list showing the order of seniority of a Staff in each grade on Grade Levels 01-06, while the Secretary to the Local Government Service Commission shall prepare same in respect of officers on Grade Levels 07 and above within each cadre. Seniority shall be based on the provisions of the existing rules.

All officers who fall within the field of selection for any promotion exercise shall be considered except those who are under disciplinary action. The minimum number of years

that an officer must spend in a post before being considered eligible to come within the field of selection for promotion shall be as follows(Eneanya, 2012:113):

Grade Levels of Staff	Number of years in post
01-06	Minimum of 2 (two) years
07-14	Minimum of 3 (three) years
. 15-16-	Minimum of 4 (four) years

All Local Governments and Local Government Service Commissions shall take into account to APER (Annual Performance Evaluation Report) of each officer for the last 3 years in the service. Each APER shall be summarized and the equivalent marks shall be confirmed or vetted by the moderating officers and shall be shown on the APER form(Eneanya, 2012).

Staff on Grade Levels 07 and above who are being considered for promotion must appear before the Local Government Service Commission for promotion interview. In the case of officers entering into the Senior Management Grade at Grade Level 14, they must in addition, pass proficiency examination or undergo prescribed course. There shall also be promotion examination for promotion from Grade levels 06-07. However, where the Grade level 06 post in training post, then advancement from Grade Level 06-07 shall be based on APER score only

In the case of officers in the professional cadres moving from Grade Level 08 to grade Level 09, where the promotions are not subjected to vacancies, each such officer shall be required to pass suitable advancement test while on grade level 08. In the alternative, their promotion may be based on prescribed courses. The criteria for promotion shall be:

- (i) basic qualification
- (ii) performance (as assessed under APER)
- (iii) interview performance;
- (iv) Additional qualification/cognate experience and

(v) Seniority

The criteria shall normally be weight as follows:

	Percentage
Performance -----	50
Interview -----	30
Additional Qualification/Examination -----	15
Seniority -----	5

Where additional qualification examination is not an applicant criteria, then the weight assigned to performance shall be increased by 15. Similarly, in cases where interview is not applicable, the weight for performance shall be increases by 30

Local Government qualification shall render all promotion exercises carried out to the Local Government Service Commission. All briefs used at such meeting and the minutes of the meeting must accompany the returns in respect of posts graded on Grade Levels 01-06. Returns shall reach the Commission not later than two weeks from the date of conclusion of the promotion exercise,

National promotion:- officers on leave of absence, on secondment, on approval study leave or on special assignment, who fail within the promotion field of selection, shall be granted, national promotion, if they are worth of promotion,

Effective Date of promotion;- The effective date of promotion shall be either January 1, or July 1, and promotions shall not normally have retrospective effect. Every exercise shall be completed the 31st of each year.

3.2 STAFF TRANSFER

All transfer shall be subject to prescribed conditions for appointment in addition to the following considerations:

- No officer shall be considered for transfer-on-promotiion or otherwise to any Local Government or the Unified Local Government Service except to an advertised post

Applications for transfer of service shall be made to the Local Government, in case of posts graded 01-06 and to the Local Government service Commission in case of posts graded 07 and above, and submitted in duplicate supported by the following documents:

- (A) Evidence of qualifications
- (B) Satisfactory APER for the 2 years immediately preceding the date of the application
- (C) officer's Record of service showing clearly, the career progression of the applicant, and
- (D) recommendation from the applicant's employer, including a statement that the officer will be released if the application is successful

An officer may only be considered for transfer if he has grade to which he seeks qualifications, experience and career progression are:

- (i) comparable to those of officers already in the grade to which he seeks transfer; or
- (ii) superior to those of officers already in the grade just below that to which he seeks to be transferred.

Where the number of vacancies is limited, extra care must be taken to ensure contemplated transfer would in no way jeopardize prospects of officers already in the service.

3.2.1 INTER-SERVICE TRANSFER OF STAFF

In considering inter-service transfer, the Local Government-Service Commission must be satisfied that there are vacancies not only in the relevant grade but also in the applicant's discipline or area of specialization.

Once an officer on transfer has agreed to accept an offer of a position, and the position is lower than that for which he initially applied, he shall not, after assumption of duty, petition of upgrading or review on account of comparison with his erstwhile colleagues.

3.2.2 TRANSFER FROM ONE LOCAL GOVERNMENT TO ANOTHER LOCAL GOVERNMENT WITHIN THE STATE

This shall be channeled through the Local Government Service commission subject to the availability of vacancy and the overall suitability of the officer seeking transfer of service.

This provision shall apply only to officers on Grade Level 01-06

3.2.3 TRANSFER FROM A LOCAL GOVERNMENT IN ONE STATE TO A LOCAL GOVERNMENT IN ANOTHER STATE.

This shall be channeled through the Local Government Service Commission

Transfer from outside the Local Government Service, for example, where an officer from the federal or State Civil Service or from a Federal or State Government Parastatal is seeking transfer to the Local Government Service: .

This shall be channeled through the Local Government Service Commission.

3.3 SECONDMENT

The initiative for the secondment of civil servants to the Local Government service shall be taken by a Local Government through the Local Government Service Commission

At the time of such secondment, the terms of secondment shall be clearly stated and accepted by all the parties concerned. Such secondment shall not exceed two years in the first instance and not subject to renewal if all the parties agree.

3.3.1 RIGHT OF APPEAL

An officer who is dissatisfied or aggrieved as a result of any decision of the Junior Staff Management Committee or the Local Government Service Commission shall have the right of appeal. Appeal against the decisions of the Junior Staff Management Committee shall lie to the Chairman of the Local Government and hereafter to the Local Government Service Commission.

Appeal against the decision of the Local Government Service Commission lie to the Commission for a review. After all the internal avenues for redress or been exhausted, and the petitions to the Governor shall be forwarded of the officer concerned through the Chairman of Local Government Service Commission to the Governor, and an advance copy shall be sent to the Government.

3.4 DISCIPLINE

Local Government shall exercise disciplinary power over their staff on Grade level 01-06 and the level Government service commission on Local government Service Commission on Local Government employees on Grade Levels 07 and above

Local Returns of disciplinary cases indicating names of officers grade, date of present appointment, nature of offence and nature of disciplinary action taken, shall be rendered to the local Government Service Commission within two weeks of the decision.

As a further check, the Local Government Service Commission may call for the records used by the Junior Staff Management Committee to satisfy itself that justice has been manifestly done.

3.5 RETIREMENT

Retirement of local government employees is according to 2004 Pension Act – contribution of 7.5% by both employees and employers. When an employee attains the age of 60 years or

35 years of service, he/she is retired from service. Such employee is paid retirement benefits, made up of pension and gratuity. The pension follows the provision of Pension Act of 2004. Under the 2004 Act, an employee is required to maintain an account to be known as Retirement Savings Account (RSA) in his/her name and with any Pension Fund Administrator (PFA) of his/her choice. At the end of his disengagement, the Pension Fund Administrator that managed his/her account pays the Pension, while the local government pays the gratuity, if it is part of the disengagement reward. However, an employee is forbidden from withdrawing from the account until he attains the age of 50 years, except he/she retires on health grounds or for any other reason in accordance with the terms and conditions of his employment.

SELF-ASSESSMENT EXERCISE

Describe the promotion processes in local government administration?

4.0 CONCLUSION

In this unit, we have examined the issues of promotion, transfer, discipline and retirement in local government administration. Rewards and sanctions shall be based on concrete measurable performance. All promotions shall be based on relative merit (performance, seniority, additional qualifications, and so on). Local Government has the power to promote and give advancement to all staff on Grade- Levels G 1 -06. The Head of the Department of Personnel Management prepares, at the end of every year, comprehensive staff list showing the order of seniority of a Staff in each grade on Grade Levels 01-06, while the Secretary to the Local Government Service Commission prepares same in respect of officers on Grade Levels 07 and above within each cadre. Seniority shall be based on the provisions of the existing rules. To manage human resources in a constructive way, it is sometimes necessary to

transfer employees to other jobs, Sanctions are imposed for deviant behavior, while disengagement follows at the attainment of 60 years of age or 35 years of service.

5.0 SUMMARY

Local government has important function on promotion, transfer, discipline and disengagement of personnel. From grade levels 07 and above, officers come under the control of the United Local Government Service. Such officers shall be subject to posting to relevant department of various local governments provided that the posting of a Head of Department is done in consultation with the receiving local government. Each local government undertakes the appointment, discipline and promotion of its staff on grade levels 01-06 under general and unified guidelines to be provided by the Local Government Service Commission, while officers on grade levels 07 and above are appointed, posted, disciplined and promoted by the Local government Service Commission, provided that all appointments are made to defreeze posts in the approved budget of the Local Government. However, the posting of officers on grade levels 01-06 from one local government to another shall not be allowed save in exceptional circumstance and on mutual agreement among the local government concerned.

TUTOR-MARKED ASSIGNMENT

- (1) Describe how local government employees are transferred?
- (3) Explain the process of "secondment" in Local government administration?

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READINGS

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UNIT 3

TRAINING AND DEVELOPMENT IN LOCAL GOVERNMENT ADMINISTRATION

Contents

- 1.0 Introduction**
- 2.0 Objectives**
- 3.0 Main Contents**
 - 3.1 Training programme**
 - 3.2 Types of Training**
 - 3.3 The role of Training Officer**
 - 3.4 Staff Development Programme**
- 4.0 Conclusion**
- 5.0 Summary**
- 6.0 Tutor-Marked Assignment**
- 7.0 References/Suggestions for Further Reading**

1.0 INTRODUCTION

Training has the dual function of utilization and motivation. By improving employees' ability to perform and the tasks required by the company, training allows better use to be made of human resources. In this unit, we shall examine the principles and practices of training and development in local government administration.

2.0 OBJECTIVES

At the end of this unit, students would be able to:

- Explain the training programmes in local government administration
- Describe the types of training and development undertaken in local government administration

3.0 MAIN CONTENTS

3.1 TRAINING PROGRAMME

The Local Government Service Commission shall maintain 1% local government training fund for the training of members of the unified staff. Training provisions are made at an early stage of an officers career; mid-career training to equipment officers of promise to undertake supervisory or middle management responsibility; and training for officers with several or many years of experience to enable them to successfully discharge the duties of higher level managerial posts. Some of the courses may be regarded as falling within the “mainstream” of the training programme and these will normally be of a fairly long duration. Others will need to be of a shorter period and should include programmes either of a motivational nature or designed to give managerial training to professional and technical officers. There should also be specialist courses for officers in their mid-career, relating to particular spheres of work, for example in professional/technical subjects areas or in management/supervisory techniques. Many such lectures to give participants a good knowledge of modern procedures, recent developments, and innovative methods, etc.

Broadly, speaking, there should be two objectives in a local government training programmes, viz:-

- a. To ensure that the day to day operations, routines and procedures of local governments can be effectively undertaken and properly understood by the staff.
- b. To provide training to the level which is necessary to equip the staff to meet the more extensive and ever growing management administrative , financial and service problem of the future.

3.2 TYPES OF TRAINING

3.2.1 ON – THE – JOB TRAINING

An essential element in many scheme of staff development is training “on-the-job”. This training technique is demanding in terms of the time of the supervisor and sectorial Head as well as that, at times of the Departmental Head. It is expected that in every local government, a great effort should be made to make at least a small start with the most essential “on- the- job” progrmames.

The seminar or group discussion approach is a type of on-the-job training, which the secretary should find very useful in his efforts to improve the effectiveness and efficiency of local governments organization. Such programmes could be mounted on a regular basis and as frequently as the work situation permits. The seminars could cover the special requirements of various categories of officers:-

- a. Senior Management Staff
- b. Middle Management Staff
- c. Professional and/or Technical Staff
- d. Supervisory Staff
- e. Junior Staff

From time to time joint seminars might also be held, attended by staff of two or more of the categories of officers indicated above, for example, supervisory and junior staff; or middle management, professional technical and supervisory staff; or senior management, middle management and professional/technical staff. The seminar should consider papers prepared mainly by staff members of the organization.

3.2.2 TRAINING OFF – THE JOB

A significant part of the total training needs of local governments are met by specialized training institutions. Some of the specialized training institutions offer seminar programmes appropriate to the needs of local government official. Some training programmes are offered in universities, such as university of Ife, Ahmadu Bello University, Zaria and Kaduna Polytechnic. Some of the programmes have nine months duration and are as follows:

- i. Certificate in local government
- ii. Diploma in local government
- iii. Higher diploma in local government
- iv. Advanced diploma in local government

3.3 THE ROLE OF TRAINING OFFICER

On all local governments, more especially the largest ones, it will be important to the success of staff development programmes that consideration should be given to the appointment of a training officer. This officer who would be directly responsible to the secretary should be of considerable seniority and normally would combine his training responsibilities with other duties, including those relating to personnel matters. The duties of the training officer would probably include:-

- i. Drafting of the staff development policy for review by the secretary and approval by the local government council, periodic review of the relevance and effectiveness of the staff development policy and submission of his findings and recommendations arising there from to the secretary.
- ii. Maintenance of appropriate records concerning, inter alia, the prescribed training courses to be attended by individual officers and the appropriate objectives and level of them, the period during which the individual officers after proper nomination have actually attended courses, the results obtained and the subsequent work performance of the officers concerned;
- iii. Maintenance of very close contact and cooperation with the ministry of local government concerning all staff development matters and frequent exchanged of information regarding new or changing requirements in this field and on progress, problems, constraints, etc; in regard to the implementation of approved staff development programmes.
- iv. Mounting of approved training seminars in the local government organization and arranging “on-the-job” training programmes.

- v. Submission to the secretary of regular progress reports concerning the implementation of staff development programme
- vi. Submission of recommendations to the secretary concerning staff development matters;
- vii. Consideration of any proposal emanating from members of staff of the local government for the improvement of the staff development policy or staff development programmes.

3.4 STAFF DEVELOPMENT PROGRAMME

For a balanced staff development programme (which should be an important objective of staff development policy), the secretary working in close cooperation with the ministry of local government will need to have regard to several aspects of the problem. First, in order to ensure that a sound basis exists or can be built and to enable newly appointed officers to play a useful role at an early stage in their career, considerable emphasis will need to be placed on induction training such training would probably last for 2 – 3 days and be specifically tailored to meet the requirements of each category of officer.

3.4.1 INDUCTION COURSES OR PROGRAMME

Induction courses would probably need to include:

- i. A study of the organization including its objectives, programmes, projects, staffing etc;
- ii. A consideration of the relationship between the local government and the various ministries and department of the state and federal governments;
- iii. One seminar each on the subject areas of motivation, discipline and effective communication. In this regard, it is of the utmost importance to endeavour to motivate staff as strongly as possible at the outset of their career in the direction, for example, of achieving objectives, meeting target dates for programmes and projects, effective management of time;
- iv. An examination of the specific work areas of the trainees and the main responsibilities constraints, problems etc; facing them (Rowland, 1979 : 98).

There is need, therefore, for a new employee to be inducted as early as possible after being deployed. Otherwise, the new employee may drift into a bad working habits because he has not been properly informed, and may carry out his duties in an unsatisfactory manner.

It is obvious that a carefully planned approach to meeting personnel requirements is recommended involving first the preparation of a state manpower plan for local government and subsequently, a systematic programme of recruitment within the plan, by the Local Government Service Commission. It will be important that every effort be made to streamline the decision making process in relation to recruitment matters.

Staff in post in local governments should be progressively trained under a carefully framed staff development policy drawn up jointly by the ministry for local government and the local government. Training programmes should be such as to cover the needs of all departments and all categories of officers from the lowest levels up to the secretary to the local government. Further, the staff development programmes should meet the need of officers at all stages in their careers and should comprise of both institutional courses and various forms of “on-the-job” training. These programmes would lead to significant improvement on the work performance.

SELF-ASSESSMENT EXERCISE

Describe the types of training and development programme you know?

4.0 CONCLUSION

In this unit, we have examined training and staff development in local government administration. Training refers to how employees' skills are developed, upgraded and socialized into the public service ethos. It is planned and systematic event aimed at modifying or developing knowledge, skills and attitudes through learning experience and to facilitate effective performance in work activities. On the other hand, development is the general enhancement and growth of an individual's skills and abilities through conscious and unconscious learning. Its purpose in the work situation is to enable an individual acquire such skills as would make him/her perform adequately a given task or job.

5.0 SUMMARY

Training is a continuous process and contributes immensely to the improvement of job performance. The training process has four phases, namely: identification of training needs, programme planning and design, implementation of training plans and evaluation of training effectiveness.

Identification of training needs is, therefore, the pivot of any systematic training. Once the training needs have been identified, then a training programme is prepared. The training programme is a "detailed part of the training plan: what to do; who should do it; and when to do it"(Eneanya, 2010:50). Training programmes in local government administration is designed to cover the needs of all departments and all categories of officers from the lowest levels up to the secretary to the local government. Further, the staff development programmes should meet the needs of officers at all stages in their careers and should comprise of both institutional

courses and various forms of “on-the-job” training. These programmes would lead to significant improvement on the work performance.

7.0 REFERENCES/SUGGESTIONS FOR FURTHER READINGS

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UNIT 4

INDUSTRIAL RELATIONS IN LOCAL GOVERNMENT ADMINISTRATION

Contents

1.0 Introduction

2.0 Objectives

3.0 Main Contents

3.1 Meaning of Conflict

3.2 Sources of Conflict

3.3 Machinery for Managing Conflict

4.0 Conclusion

5.0 Summary

6.0 Tutor-Marked Assignment

7.0 References/Suggestions for Further Reading

1.0 INTRODUCTION

Industrial Relation is a consultative stage of the public personnel process. It is a tripartite relationship between employers, trade union (workers) and the government. Labour relation centres on the employer and employees in the negotiations process, while the government provides supervisory role. Government's role in industrial relation is to provide enabling environment for the practice of industrial relations. Industrial relation practice requires conformity to rules and regulations. It is the responsibility of the human resources department to manage industrial conflict at work. In this unit, we shall examine the tenets of industrial relations in local government administration.

2.0 OBJECTIVES

At the end of the unit, students would be able to:

- Know the meaning of conflict
- Understand the causes of conflict in local government administration; and
- Describe the machinery of managing conflict in local government administration

3.0 MAIN CONTENTS

3.1 MEANING OF CONFLICT

Conflict refers to the act of mutual interference of opposing interests, ideas or act of discord of two or groups of individuals over issues. When there is conflict, it implies that there is a dispute. It implies that there is a dispute, a struggle against something by persons expressing opposing views or claims (Ugwu, 2000: 148).

3.2 SOURCES OF CONFLICT

In the local government system, there are several sources of conflicts. The following are sources of possible conflicts: demand for regular payment of salaries and wages, political intrigues on revenue allocation, intra-local government crisis, and management and labour relations crisis.

3.2.1 IRREGULAR PAYMENT OF SALARIES AND WAGES

In the local government system as in most organization, human groupings make up all work activities. Local government workers often demand for improved conditions of services. They often complain of poor salaries and wages, while the management of local government councils could not meet up with these demands. This often results in conflict resulting in strikes by workers.

3.2.2 INTRA-ORGANIZATIONAL CONFLICT

Conflicts can also arise between councilors and the chairmen of local government. Causes of these conflicts may be as a result of favouritism or marginalization in decision-making, inequity remuneration of political office holders. Conflict may also arise as a result of unhealthy rivalry or power tussle over implementation of some policies and programmes.

3.2.3 LACK OF GRIEVANCE PROCEDURES

In local government system, grievances among individuals cannot be under-estimated. In management – labour relations, lack of communication over issues and absence of effective organization frame works to handle grievances bring about conflicts. Once there is no trust and information is often distorted, there is bound to be conflict.

3.2.4 POLITICALLY- MOTIVATED CONFLICT

There is often the problem of allocation of fund between state and local government councils. Sometimes, fund allocated to local government councils are diverted by state government to other projects or not released to the councils concerned, especially if the council is

controlled by opposition political party. This action often leave the councils with poor financial based leading to conflicts. Sometimes, the Federal government can also withhold funds meant to local government councils for political reasons as was witnessed between the federal government and Lagos states government during Obasanjo's regime (2003 – 2007).

3.2.5 MANAGEMENT – LABOUR RELATED CONFLICT

Conflicts can arise if the collective interests of the workers are neglected. Certain issues that affect the career of local government workers could bring about conflicts. Issues such as lack of promotion, poor remuneration and conditions of service could trigger conflicts between the local government union and local government councils.

3.2.6ROLE CONFLICT

Structural weakness by not specifying the role of various political office holders on one hand and that of the career office holders on the other could trigger off conflicts.

3.2.7CONSTITUTIONALLY – RELATED CONFLICT

The Constitution of 1999 has abnormalities in its provisions on local government councils. The provisions in the constitution could not make clear whether it is the National Assembly that is to create local government councils or the State House of Assembly. This has brought about conflict between Lagos State government and the Federal Government over creation of additional local government council, leading to non-release of funds meant for local government councils.

Moreover, the constitution has failed to streamline the role of accounting officer in the local government. Finally, the state governments have overwhelming powers over local governments and this often lead to dissolution of councils by state governor at will.

3.3 MACHINERY FOR MANAGING CONFLICT IN LOCAL GOVERNMENT ADMINISTRATION

It is the responsibility of the personnel management department to establish the machinery for negotiation and joint consultancy. This would involve setting up a good communication system between management and the representatives of organized labour.

At the National level, Nigerian Labour Congress (NLC) for junior staff and Trade Union Congress (TUC) for senior staff, Employers' Association and Government consult on wages and salaries of workers. However, negotiation often takes place between National Union of Local Government Employees,(NULGE), Employers' Association and Government for service to be in parity with that of civil service. Issues of a general character affecting the

whole service are dealt with in the Unified Negotiating Machinery. This machinery is used for negotiation and consultation.

At the shop floor, the consultation and communication that follow are the responsibilities of the Head of Personnel management Department at the local government level and National Union of Local Government Employees (NULGE) official in each local unit. Prior to meeting the personnel manager, NULGE officials summon all staff of local government meetings intermittently to appraise the policies or decisions as they affect their welfare.

3.3.1 CONFLICT RESOLUTION OR MANAGEMENT TECHNIQUES

- Individual grievances
- Collective grievance machinery

3.3.1.1 INDIVIDUAL GRIEVANCES PROCEDURE

Any officer who is dissatisfied or aggrieved as a result of any decision of the Junior Staff Management Committee shall have the right of appeal. Appeals against the decisions of the Junior Staff Management Committee shall lie in the first instance to the chairman of the local government.

Such petitions shall be forwarded by the officer through the Head of Personnel Management Department together with briefs, minutes and comments of the relevant Junior Staff Management Committee's meeting as well as comments of Head of Personnel Management

within two weeks of receipt. The decision of the chairman on the petition shall be communicated to the officer concerned within two weeks of the receipt of the petitions.

Appeals against the decision of the chairman shall lie to the Local Government Service Commission. All such petitions to the commission, together with meeting of the Junior Staff Management Committee, the comments of the Head of the Department of Personnel Management, as well as the chairman's decision and whatever other comments the chairman may wish to make on the petition within two weeks of receipt. And advance copy of the petition shall be sent by the petitioner to the commission. The decision of the commission on such petitions shall be binding on all concerned.

3.3.1.2 COLLECTIVE BARGAINING

Local government and labour often embark on collective bargaining to address collective issues affecting the workers. The National Association of Local Government employees(NULGE) often engage the local government councils to negotiate on issues that could lead to conflict .

3.3.1.3 JOINT CONSULTATIVE COMMITTEE

Usually committees are set up comprising all opinion leaders and experts to exchange ideas, information and make suggestions for the .mutual interest of management and the workers. Joint Consultative Committee could be set up to negotiate on issues concerning staff general welfare, staff hours of work, programmes and projects and so on. Such consultation should be regular to bridge communication gap

that could result to conflict. In other words, issues of a general character affecting the whole service are dealt in established Unified Negotiating Machinery. This machinery is used for negotiation and consultation. Disagreement arising out of the negotiation can be referred to the Minister of Labour and Productivity, who appoints a Conciliator. If no agreement is reached, the minister will refer the dispute to Industrial Arbitration Panel (AIP) and finally to National Industrial Court (NIC). NIC is the final authority for settling such trade disputes.

SELF ASSESSMENT EXERCISE

What are the causes of conflict in local government administration?

4.0 CONCLUSION

In this unit, we have examined the meaning, causes and management of conflict in labour relations in local government administration. Labour issues are always on the agenda of employers of labour. Since human resources are great assets, employers guard against any conflicts among workers or between an employer and the workers. For good industrial relations, employers devise certain machinery for managing industrial conflict.

5.0 SUMMARY

In any organization, it has been recognized that problems of remuneration, conditions of employment, role , grievance and so on, if not resolved degenerate to conflict. Conflicts can also arise if the collective interests of the workers are neglected. Certain issues that affect the career of local government workers could bring about conflicts. Issues such as lack of promotion, poor remuneration and conditions of service could trigger conflicts between the local government union and local government councils. Conflicts are managed at the shop and national levels in local government administration.

At the shop floor, the consultation and communication that follow are the responsibilities of the Head of Personnel management Department at the local government level and National Union of Local Government Employees (NULGE) official in each local unit. Prior to meeting the personnel manager, NULGE officials summon all staff of local government meetings intermittently to appraise the policies or decisions as they affect their welfare.

At the National level, Nigerian Labour Congress (NLC) for junior staff and Trade Union Congress (TUC) for senior staff , Employers' Association and Government consult on wages and salaries of workers. However, negotiation often takes place between National Union of Local Government Employees,(NULGE), Employers' Association and Government for service to be in parity with that of civil service. Issues of a general character affecting the whole service are dealt with in the Unified Negotiating Machinery. This machinery is used for negotiation and consultation. These two approaches form the platform of machinery for managing conflict in local government administration.

6.0 TUTOR-MARKED ASSIGNMENT

- (1) Describe the causes of conflict in local government administration?
- (2) Explain the machinery for managing conflict in local government administration?

7.0 REFERENCES/SUGGESTION FOR FURTHER READING

Constitution of 1999, Fourth Schedule, Local Government Functions

Eneanya, A.N. (2010). *Principles and Practice of Public Personnel Administration in Nigeria*. Lagos: Concept Publications Ltd.

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MODULE V

INTER-GOVERNMENTAL RELATIONS

AND LOCAL GOVERNMENT ADMINISTRATION

UNIT 1 THEORIES AND IDEOLOGY OF FEDERALISM

UNIT 2 MODELS OF FEDERALISM AND LOCAL GOVERNMENT
RELATIONS

UNIT 3 STRUCTURES AND PATTERNS OF INTERGOVERNMENTAL
RELATIONS

UNIT 4 FEDERAL-STATE-LOCAL GOVERNMENT RELATIONS

UNIT 5 STATE-LOCAL GOVERNMENT RELATIONS

UNIT 1

THEORIES AND IDEOLOGY OF FEDERALISM#

Contents

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main contents
 - 3.1 Theoretical Perspectives
 - 3.1.1 Federalist School
 - 3.1.2 Decentralization School
 - 3.2 Ideology of Federalism
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor – Marked Assignment
- 7.0 References/Suggestions for Further Readings

1.0 INTRODUCTION

Federalism is a device for dividing decisions and functions of government. It contrasts with unitary system where there is one predominant central government that assumes full power and responsibility for all government functions but may delegate some of its powers to the local authority. Federalism is different from political and fiscal. Whereas, political federalism deals with the allocation, usually through the instrumentality of the constitution, of powers and authority to tiers of government, fiscal federalism, on the other hand, is essentially about the allocation of government spending and resource to tiers of government (Oates, 1972: 16 – 20; Asobie, 1998:15). In this unit, we shall examine the conceptual and theoretical issues in federalism.

2.0 OBJECTIVES

At the end of the unit, students would be able to

- Explain the theoretical perspectives in federal system.
- Understand the ideology of federalism and
- Explain the relationship between federalism and local government administration

3.0 MAIN CONTENTS

3.1 THEORETICAL PERSPECTIVES OF DECENTRALIZATION

It is helpful at this point to examine some of the theoretical perspectives that have been used by experts in the field to analyze explain and predict inter-governmental events. However, it will be helpful to define what is meant by theory. A theory is a coherent set of statements describing and explaining the relationships and underlying principles of some aspect of the world. A useful (although somewhat oversimplified distinction may be made between two kinds of theory: normative theory, which offers explanations and predictions for how some part of the world actually is or ought to be.

And empirical theory, which offers explanations and predictions for how some part of the world, actually is or will be. These two types are directed at quite different goals. However in the field of intergovernmental relations efforts to explain an inter-governmental system are simultaneously bound up with attempts to persuade others that certain forms of intergovernmental relations are preferable.

In other words, many intergovernmental theories have been both normative and empirical.

3.1.1 FEDERALIST SCHOOL

Moreover, federalism is seen either as alliance or decentralization (Gibson, 2004: 4 – 6). The Alliance or federalist school argues that federalism allows for the surrender of power to the centre and gives allowance for self-government. In other words, inherent in the federal armament is generalized rule and particularistic rule. Federalist school is concerned with the combination of “self-rule and shared rule”. The logic is that a process of “defederation” begins when the centre gets so powerful to the extent that it erodes the powers of the other component units of the federation to run its own affairs within the constitutionally quarantined him it, without reference to the central authority. This types of federation is seen as alliance.

3.1.2 DECENTRALIZATION SCHOOL

Decentralization school view federalism as entailing power devolution to different geographical levels within a nation. This school argues that mere decentralization of power is more important to whether it is a “particular political or constitutional order”. Thus, federalism allows for a great degree of decentralization. The logical is that political exigencies might make federalism desirable but power calculation and domination may make decentralization the empirical reality of powers organization.

3.2 IDEOLOGY OF FEDERALISM AND LOCAL GOVERNMENT ADMINISTRATION

The ideologists of federalism do not, of course, utter arguments justifying the benefits that accrue to these beneficiaries. To do so would be to admit that not everyone gets something out the institution of federalism. Yet it is the nature of ideology to be a claim of universal benefit...the ideology of federalism consists of a claim that everyone gets such and such a benefit from it. Since we know, however, from the examination of beneficiaries just completed, that in fact, some people often a majority do not benefit at all, it is easy enough to spot an ideology because it is presented as a claim that everyone gets something good from the institutions of federalism (Riker, 1985:70). Let us look at some of these claims:

1. That federalism promotes democratic polity. It should be abundantly clear, just from looking at the list of federal governments, that not all of them are democracies or even pretend to be democracies, although their claim to be federations is indisputable,. Examples are: Mexico, Yugoslavia and Nigeria.
2. That federalism promotes democracy by promoting an interest in state government. However, studies conducted by Deye (1966); Jacob and Lipsky (1968) generally support the proposition that state governments are more influenced in their actions by the state of their economics than by the demands of their citizens.

Jennings and Ziegler (1970) have shown on the basis of survey research that citizens simply do not follow state politics very well. And when people do not know what a government is doing, they cannot hold it responsible. And if they cannot hold it responsible, it can hardly be particularly democratic, especially by comparison

with national and local governments, which are more visible. A general, one would expect that the greatest interest of the citizens would be centred on that level of government that does the most important things. Thus, in a centralized federation one would expect interest to centre on the national government, while in a “peripheralized” federation, one would expect the interest to focus on the constituent governments for example, in Nigeria allegiance was on regional governments.

3. That federalism maintains individual freedom. This is by far the most decentralization in the organization of power. From discussion shown so far, the claim of ideologists of federalism that federal system strengthens freedom is false. Sometimes, federalism reduces freedom as in the case of Nigeria, Local government is controlled by the central and state machineries

4.0 CONCLUSION

In this unit, we have discussed the theoretical perspectives of decentralization and ideology of federalism. Two major schools of thought view federalism in two perspectives. The first school, the federalist school is concerned with the principle of self-rule and shared rule”. The school views federalism as an alliance. On the other hand, decentralization school argues that federalism entails power devolution to different geographical levels within a nation. However, in practice federalism is a mixture of centralization and decentralization. Every nation embraces a creative proportionality of centralization and popular of the ideological arguments in favour of federalism. Freedom is the right to make rules as one chooses. Rules in turn impose constraints on all those who would not by preference have made exactly those rules. The ideal of freedom is then to minimize the external costs suffered by some persons in the society. In aristocratic

society one minimizes the external costs of the well – born; but in the equalitarian society of today, presumably one minimizes the external costs of some representative citizen's chosen at random from the whole. The best way to minimize costs for such a citizen is to have policing made by the largest relevant unit of government. For all issues of national concern, then, maximum, freedom is attained when policy is made nationally. Conversely, for all issues of local concern, maximum freedom is attained when policy is made locally. So the claim by ideologists of federalism that the system strengthens freedom is thus false. Indeed federalism weakens freedom (Riker, 1985:71).

5.0 SUMMARY

Federalism allows for the surrender of power to the centre while allowing self-governments. Given human nature, power serves as instrument of state craft. Those with power allow different centres of power to perform certain responsibilities in order to accommodate heterogeneous nature of the state. Inherent of such constitutional arrangement is to make way for nation-building.

Beyond the potentials for managing diversities and conflictual relations, there is also an economic imperative of federalism. This calls for the decentralization of decisions-making and the distribution of state powers between governmental levels. Necessitating this is the different nature of public goods, which warrants the handling of their production and distribution in multidimensional ways.

A concurrence to the conceptualization and theories is the idea of federalism as a national polity with dual or multiple level of government, exercising exclusive authority over constitutionally determined policy areas, but in which only one level of government –

the central government is sovereign before international communities (Gibson, 2004).

In general, therefore in any federal system, but especially in asymmetrical ones, like Nigeria or United States, federalism weakens freedoms. So, the claim of the ideologists of federalism that the system strengthens freedom is thus false. Indeed, federalism weakens freedom, as in the case of Local government administration in Nigeria, where they lack autonomy.

6.0 TUTOR – MARKED ASSIGNMENTS

1. Describe the theoretical perspectives of federalism?
2. Explain the ideology of federalism?

7.0 REFERENCES/FURTHER READINGS

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UNIT 2

MODELS OF FEDERALISM AND LOCAL GOVERNMENT RELATIONS

Contents

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main contents
 - 3.1 Coordinate-authority Model
 - 3.2 Inclusive-authority Model
 - 3.3 Overlapping-authority Model
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor – Marked Assignment
- 7.0 References/Suggestions for further Readings

1.0 INTRODUCTION

In inter-government relations, it is important we examine how a group of states are bound into a larger, non-centralized and superior state. The inter-governmental relations may be classified into three conceptual models. We can formulate some simplified models of authority relationships among national, state and local jurisdiction. In this unit, we shall examine the features of intergovernmental relations arrangement.

2.0 OBJECTIVES

At the end of the unit, students should be able to:

- Understand the authority relationships that exist between political entities;
- Understand how the models can be used to formulate hypotheses;
- Understand that by testing these hypotheses, we can discover which model best fits predictions of inter-governmental relations policies.

3.0 MAIN CONTENTS

There are three models that express visually the three generic types of authority relationship that can exist between political entities namely: coordinate – Authority model; inclusive authority model. (Wright 1985: 58 – 65) overlapping – Authority model. Each model concentrates on the essential features of a possible Intergovernmental Relation arrangement and guides us in formulating hypotheses. Testing these hypotheses we can discover which model best fits the political system being operated(Wright, 1985:59):

3.1 THE COORDINATE – AUTHORITY MODEL

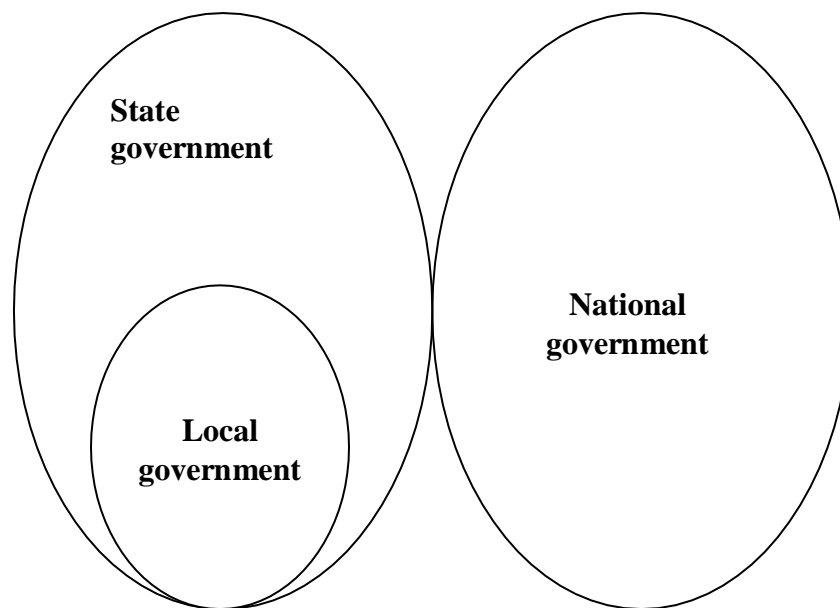


Fig. 1: Coordinate Authority Model

In the coordinate-authority model of Intergovernmental Relation, sharp, distinct boundaries separate the national government and state governments. Local units, however, are included within and are dependent on state governments.

The most classic expression of state/local relations is Dillon's Rule, which summarizes the power relationship between the states and their localities quoted in (Otole, 1985:58):

1. There is no common-law right of local self-government.
2. Local entities are creatures of the state subject to creation and abolition at the unfettered discretion of the state (barring constitutional limitations)
3. Localities may exercise only those power expressly granted.
4. Localities are “mere tenants at the will of the legislature.

This, coordinate – authority model, therefore, implies that the two types of entities are independent and autonomous. They are linked only tangentially.

However, when the respective spheres of action put the national government and the state in conflict, they ceased to be tangential and clashed directly. In such case, the Supreme Court becomes the arbiter of national/state relations.

3.2 THE INCLUSIVE – AUTHORITY MODEL

This model is represented in fig. 2 by concentric circles diminishing in size from national to state to local government(Wright, 1985:59)

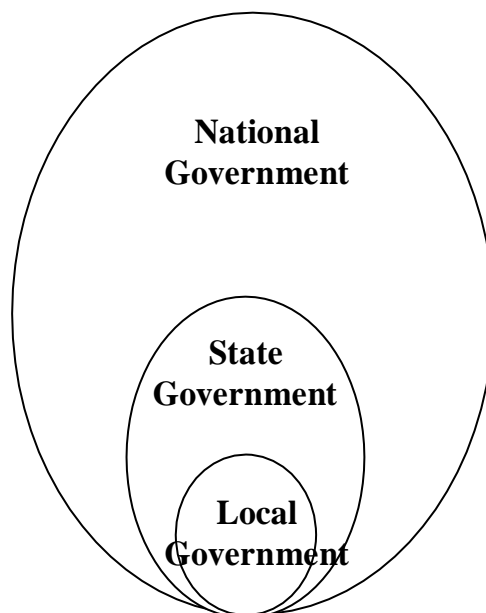


Fig. 2: Inclusive – Authority Model

Let us suppose that the area covered by each circle represents the proportion of power exercise by that jurisdiction with respect to others. Suppose the national government wants to expand its proportion of power in relation to states and localities. Two strategies are possible.

- One, reduce the various powers of either the states or localities or both; or
- Two, enlarge the national government's circle with or without enlarging the state and/or local circles.

Both strategies can be understood by means of game theory: a systematic way of studying behavior in decision making situations.

The theory assumes that all participants strive to optimize their behaviour – each trying to maximize gains and minimize losses within the limits of allowed behavior (hence the analogy with games). The outcome is seen to depend not only on the behavior of any one participant but on the responses of other participants as well.

In the first strategy, is the classic case of a three – person, zero – sum game? The sum of the player's winnings equals the sum of their losing. An illustration of this in the Intergovernmental Relation contexts is the usury case in USA and the legislation requiring state and local units to meet minimum wage and maximum hour requirements. The national government attempted to exercise (expand) its power at the expense of state/local powers. The gain in national power equaled the power or discretion lost by state and local units. Thus, the national gains equaled state/local losses.

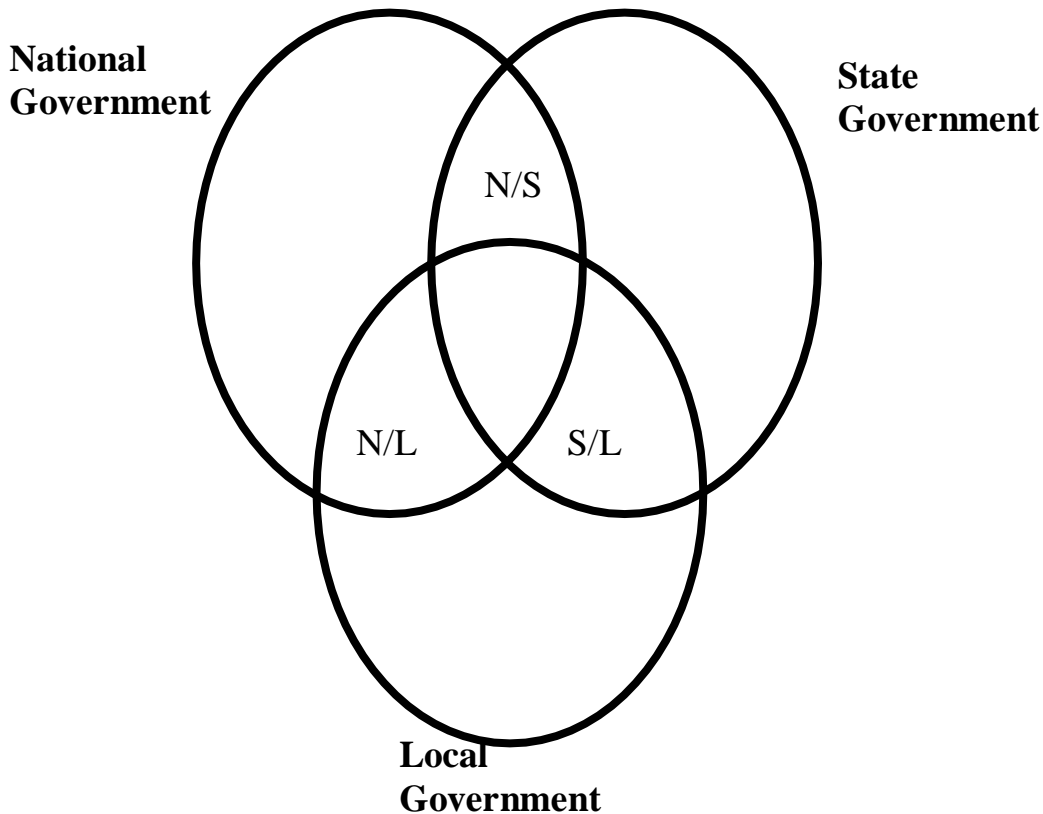
In game theory, the second strategy is called a “non-constant - sum game. All participants in this type of game can “win” or make gains. Perhaps the best Intergovernmental Relation illustration of the second strategy is fiscal: the conditional grant – in – aid. The national sector can expand by raising more money to offer and grants to states and local governments. The funds can be offered with conditions (“losses”) imposed on the recipients. But the benefits (winnings) are so attractive that they appear to outweigh the attached constraints. From these examples of the two strategies, we would expect national Intergovernmental Relation policies to lean far more toward the strategy – such as grants in aid. The strategy assume that the total resources (“winnings”) can be expanded.

However, the inclusive – authority model serves other uses besides allowing predictions of Intergovernmental Relation policies. The model also conveys the essential hierarchical nature of authority. The dependency relationships imply powers patterns that are similar to Dillon’s rule for state/local relations. That is, states and localities would be mere minions of the national government with insignificant or incidental impact on American politics and public policy. To the question of who governs, this model provides an unequivocal answer – the national government.

3.3 THE OVERLAPPING – AUTHORITY MODEL

The overlapping – Authority Model of Intergovernmental Relation comes from the early 1970s and from efforts by the Nixon administration to innovate and decentralized decision – Making in categorical grant – in – aid programmes (Wright, 1985:59):

Overlapping – authority model is illustrated in Fig. 3 as below:



The overlay among the circles conveys three characteristics features of the model:

1. Substantial areas of governmental operations involves national, state and local units (or officials) simultaneously;
2. The areas of autonomy or single-jurisdiction independence and full discretion are comparatively small;
3. The power and influence available to anyone jurisdiction (or official) is substantially limited. The limits produce an authority pattern best described as bargaining.

Bargaining is used in common dictionary sense of “negotiating the terms of a sale, exchange, or agreement”. In the Intergovernmental Relation context,

sale is far less relevant than exchange or agreement. For example, the national government offers more than 1000 assistance programmes to states and localities in exchange for their agreement to implement a programme; carryout a project, or pursue anyone of a wide variety of activities. Of-course, as pat of the bargain, the recipient of assistance must usually agree to conditions, such as; the providing of matching funds and the satisfaction of accounting, reporting, auditing and performance requirements.

In sum, the chief characteristics of the overlapping – authority models are:

- Limited, dispersed power
- Interdependence
- Limited areas of autonomy
- Bargaining – exchange relationships
- Cooperation and competition

Contacts and exchanges between national, state, and local officials may be cooperative or competitive; the determining factors include: the policy issue or problem, the status of the officials, the partisan leanings of participants, and the constituency being represented.

4.0 CONCLUSION

In this unit, we have examined the coordinate – authority model; inclusive – authority model and overlapping – authority model. In the coordinate – authority model is sharp, distinct boundaries which separate the national government and state government. In this model, there is autonomy in authority pattern and the relationship is independent.

The inclusive – authority model allows for predictions of inter-governmental relations policies. The model conveys the essential hierarchical nature of authority. The relationship is dependent on power patterns between the federal and state/local relations. That is, states and localities are mere minions of the federal government with insignificant impact on politics and public policy. The over-lapping authority model depicts that substantial areas of governmental operations involves national, state and local units (or officials) simultaneously. In this model, relationships is interdependent and authority pattern involves bargaining.

Bargaining in wide areas of Intergovernmental Relations involves exchanges or agreements.

However, each model, by concentrating on the essential features of a possible Intergovernmental Relations arrangement guides us in formulating hypotheses of-course; no two models will generate identical sets of hypotheses. However, by testing these hypotheses, we can discover which model best guides the Intergovernmental Relations policies.

5.0 SUMMARY

Fiscal Federalism is essentially about the allocations of government spending and resources to the various tiers of government. From a theoretical perspective, the nature and character of Intergovernmental Relations could be conceptualized in terms of three dominant models: separated authority, overlapping authority and inclusive authority models (Ozumba, et al (eds.); 1999).

The separated authority model expects peripheral linkages between component parts, while inclusive authority model postulate close federal supervision and control to assure that national purpose is served. The overlapping model is often considered more realistic because federalism is a system of government where all the laws passed by all the theirs of government affect all the people depending on the state and local government area in which they live.

6.0 TUTOR – MARKED ASSIGNMENTS

- i) Describe the relevance of overlapping authority model of intergovernmental relations in Nigerian federal system?
- ii) Explain how inclusive – authority models can be applied in intergovernmental relations in Nigeria?

7.0 REFERENCES/FURTHER READINGS

Wright, D.S.(1985). “Models of National/State/Local Relations”. In O’toole, L. J. (Jr.) O’toole, L. J. (Jr.) *American Intergovernmental Relations*.O’toole, L. J. (ed.) Washington, DC: Congressional Quarterly Inc.

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UNIT 3

STRUCTURES OF FEDERAL AND INTER-GOVERNMENTAL RELATIONS

Contents

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main contents
 - 3.1 Federal Structure
 - 3.1.1 Features of Federal System
 - 3.2 Intergovernmental Structure
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor – Marked Assignment
- 7.0 References/ Suggestions for Further Readings

1.0 INTRODUCTION

Federalism is practiced by many countries of the world. As a political system, it was adopted to cater for diversities and heterogeneity of these societies. Federalism simply refers to a division of power between national, state and local governments. In this unit, we shall examine the structure and patterns of federal system.

2.0 OBJECTIVES

At the end of the unit, students should be able to patterns

- Explain the structure and of federal system
- Relate the structures and patterns that are operative in Nigeria federal system

3.0 MAIN CONTENT

3.1 FEDERAL SRUCTURE

The federal structure of governmental offers the more defined platform for the operations of inter-governmental relations. In federal system, Elekwa (1995) in Ikejana – Clark and Okoli (eds.) identify six levels of inter-governmental relations namely:

- i. Federal – state relations
- ii. Federal – state – local relations
- iii. Federal local relations
- iv. State – local relations
- v. State – state relations and
- vi. Local – local relations

The levels of enumerated above represent both vertical and horizontal Ayoade (1980) also defines inter-governmental relations as comprising nine patterns:

- i. Federal – state
- ii. Federal – local
- iii. Federal – civic groups
- iv. State – state

- v. State – local
- vi. State – civic groups
- vii. Local – local
- viii. Local – civic groups, and
- ix. Inter-civic groups.

From this pattern, it could be seen that four new levels have been added to former structure, namely; federal – civic groups, state – civic groups, local - civic groups, and inter - civic groups (civic – civic). This structure excluded “federal – state – local relations”. Despite these differences, the core levels of inter – governmental relations present within a federal structure are represented (Ogbuishu, 2007).

3.1.1 FEATURES OF A FEDERAL SYSTEM

A federal system of movement is one in which powers are distributed between the centre and the states. The constitution of a federal state is always written and spells out the power and functions of central, state and local governments. The essence in to avoid conflict and controversy that may arise between these levels of government. Thus, a federal system is characterized by the following:

- i. Division of powers – separation of powers between the federal, state and local governments. The constitution provides for the distribution of powers between these levels of governments.
- ii. Supremacy of the constitution – the constitution is supreme and any laws from the state or local governments that are inconsistent with the constitution are null and void.
- iii. Bicameral legislature – the federal system legislature is often patterned according to bicameral system. That is, the federal

systems consist of two houses – the upper house and the lower House.

- iv. Written and rigid constitution – the federal constitutions of most states are often written and rigid. It means that the constitution cannot be altered with a simply majority vote.
- v. Greater central control – superiority of the centre in practice.

3.2 INTERGOVERNMENTAL STRUCTURE

Intergovernmental relations structures are almost always designed to accommodate differing communities of interest – social, ethnic, and political- as the boundaries of governments often possess, or soon acquire, symbolic meanings for communities that identify with them. Sometimes, a community is so dominated by one ethnic group that this impacts their relations – their intergovernmental relations – with other levels of government. Thus, the people of Quebec, because of their strong French cultural identity, have been able to get special advantages from the Canadian national government. Alternatively, ethnically dominated communities in other countries have complained that they get fewer resources from their national government because of their minority status

4.0 CONCLUSION

In this unit we have examined the structure; pattern and features a federal system. The structure and patterns are such that the central government is entrusted with powers of general character, which concern the nation as a whole. The other levels of governments, state local governments are given powers within their jurisdictions, as spelt out by the constitution. Neither of the two can encroach upon the jurisdiction of the centre.

SELF – ASSESSMENT EXERCISE

Describe the structure and pattern of federal system in Nigeria.

5.0 SUMMARY

We have noted the structures and patterns of political systems offers more defined platform for the operations of inter-governments relations.

The unitary structure and pattern could take the form of nation – local relations or inter-local relations. The federal structure and pattern could be: federal – state, federal – local, federal – state – local, state – state, state – local, local - local. These patterns represent both vertical and horizontal dimensions.

However, the federal, state – level patterns reflect Nigeria federal system. The pattern is cooperative, coordinative and mutually beneficial to different levels of government.

6.0 TUTOR – MARKED ASSIGNMENT

1. Describe the structure and pattern of inter-government relations in a federal system.
2. Explain the structures and patterns that are operative in Nigeria federal system.

7.0 REFERENCES/FURTHER READINGS

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UNIT 4

FISCAL RELATIONS AND LOCAL GOVERNMENT

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main contents
 - 3.1 Federal-State and Local Government Relations
 - 3.2 Collection of Taxes
 - 3.3 Mechanism for Managing Federal-State and Local government Relations
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor – Marked Assignment
- 7.0 References/Suggestions for Further Readings

1.0 INTRODUCTION

In most federal countries, there exists a strong centre, while preserving the diversity reflected in individual states. In Nigeria, federal and state governments exist side by side, with each possessing certain assigned functions. In this unit, we shall discuss federal – state – local government relations.

2.0 OBJECTIVES

At the end of the unit, students should be able to explain:

- The powers of federal state and local governments and
- How conflicts between the two levels of government are resolved.

3.0 MAIN CONTENTS

In federal systems, devolution of power between the central and component units is to design issues that concern the federal and others of common interest. Presently, Nigeria is highly centralized as the central government had enormous powers conferred on it by section 4, sub-section 5 of 1999 constitution. By this, the federal government is constitutionally granted two sets of legislative powers, namely: those contained in the exclusive list and those contained in the concurrent list. Besides, laws made by states can be overridden by federal laws if there is conflict. The federal government exercises statutory responsibility creation of new local governments.

3.1 FEDERAL - STATE AND LOCAL GOVERNMENT RELATIONS

Finance is the most critical policy issues in intergovernmental fiscal relations. The issues concerning fiscal relations among the constitutional units of the Nigerian federation that remain mostly unresolved are the divergence between assigned functions and tax powers; the principle of horizontal and vertical revenue allocation; dependence of state and local governments on the federal sources of funding; the tendency towards concentration and federal presence in the state (Mbanefo, 1998).

As the federal – state and local governments have powers under the concurrent list on collection of taxes, there were overlaps in tax and levy collection by various tiers of government necessitating a new schedule of taxes being published for all tiers of government.

3.2 COLLECTION OF TAXES

According to the new schedule of 1999 constitution, the federal government is empowered to collect the following taxes (Eneanya, 2009: 254):

- Company income tax
- Petroleum profit tax;
- VAT
- Education tax;
- Capital gains tax;
- Stamp duties of corporate entities ;
- Personnel income tax of armed forces;
- Foreign affairs;
- Police;
- Residents of the federal capital territory of Abuja.

State governments are empowered to collect the following taxes;

- Personal income tax;
- Withholding and capital gains tax
- Stamp duties from individuals;
- Road taxes;
- Development levy; and
- Business premises and registration level

Local governments are to collect the following taxes;

- Levy on shops and kiosks;
- Slaughter fees;
- Marriage, birth and death fees;

- Motor park fees;
- Cattle tax;
- Radio and television tax; and
- Advertisement tax.

There was another fiscal amendment in 1999 arising from the 1994 – 95 constitutional conference as a prelude to the 1999 constitution, which increased the list of items on the exclusive list from 66 in 1979 to 68 in 1999 and not less than 13% of proceeds from natural resources (offshore production proceeds commenced in March 2000).

3.3 MECHANISM FOR MANAGING FEDERAL STATE AND LOCAL GOVERNMENT RELATIONS

However, under the federal system, a number of administrative mechanisms are often devised to manage intergovernmental relations. In Nigeria, a number of meetings and conferences with administrative standing committees, constitutional boards, council or commissions have been associated with federal, state, local or interstate constitutions (Eneanya, 2009: 255).

With the emergence of democratic governance, since 1979, management of inter-governmental relations has followed these dimensions (Eneanya, 2009: 256 – 7):

- i. The use of national economic council and national council of states;
- ii. Crucial role of courts in resolving inter-governmental disputes of supreme court ruling mollifying the revenue allocation act of

1981 and the dispute at the supreme court between the Lagos State government and the federal government over creation of new local council.

- iii. The role of national and state assemblies in their inter-governmental relations, example, the assembly of speakers and the position of the national assembly in resolving federal – state – local governments revenue sharing formula;
- iv. The impact of political parties' competition in the management of inter-governmental relations. Elected officials of various parties now align to resolve inter-governmental conflicts.
- v. The reactions of citizens to the activities of public officials who operate at different levels of government, especially the support given to officials on inter-governmental conflicts.

All these conferences and meetings were aimed at managing inter-governmental relations in order to minimize areas of conflict.

4.0 CONCLUSION

In this unit, we have been able to discuss the inter-governmental relationship. Evidently, the principle underlying the devolution of power in federal systems is to design matters of common interest and concern to the federal government. Basically, certain matters are contained in the exclusive list, such as: foreign affairs defence, external trade, interior, etc. the state and local governments are assigned to perform matters in the concurrent and residual lists, respectively.

However, crisis often arise especially in financial relationships. A number of administrative mechanisms are often devised to manage inter-governmental relations. Through, the relationships often face

some hiccups, more efforts should be made to allow true federalism emerge.

SELF – ASSESSMENT EXERCISE

Describe the fiscal relationships between the federal, state and local governments

5.0 SUMMARY

Evidently, intergovernmental relations between the federal, state and local governments have witnessed the introduction of administrative mechanism for managing conflicts; there has been a lot yet to be achieved in fiscal relationships. In the area of fiscal relations, the federal government levies and collects variety of taxes on behalf of the entire country which goes into a pool called the federation account. The lower tiers, states and local governments are responsible for taxes that are inelastic. Though, revenue allocation formulas were adopted, the high degree of centralizing federal collected revenues and this constituting 90 percent, has created room of agitation for the review by state and local governments. There is an urgent need therefore, for an overhaul of the revenue allocation formula for peaceful relationships between federal, state and local governments.

The federal – state – local government transactions are adjudged cooperative and mutually beneficial when higher levels respect the constitutional prescriptions outlining their respective jurisdictions and functional areas.

On the other hand, conflictual inter-governmental transaction are likely to arise when higher levels of government employ their superior

position to interfere in their affairs of lower levels of government. However the possibility that a lower level governmental unit could initiate conflictual situations by venturing into areas outside their jurisdictional allocations.

6.0 TUTOR – MARKED ASSIGNMENTS (TMAS)

1. Describe the mechanism for managing federal, state and local relations
2. Mention five areas of collecting taxes by federal, state and local governments?

7.0 REFERENCES /SUGGESTIONS FOR FURTHER READINGS

Eneanya, A. N. (2012). *Policy Research Analysis and Effective Local Government*. Lagos: Concept Publications Ltd.

Mbanefo, G. (1998). “Unsettled issues in Nigeria Fiscal Federalism and National Question in 1998. Conference Papers”. Nigerian Economic Society (NES).

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UNIT 5

STATE - LOCAL GOVERNMENT RELATIONS

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main contents
 - 3.1 Administrative Relationships
 - 3.2 Fiscal Relationship between State and Local governments
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor – Marked Assignment
- 7.0 References/Suggestions for Further Reading

1.0 INTRODUCTION

State – local government relations may not necessarily be a constitutional matter in a federal system, yet such relations may provide the evidence of a working federalism. In this unit, students would examine the relationship between the state and local governments.

2.0 OBJECTIVES

At the end of the unit, students should be able to:

- Describe administrative, financial legislature, political and judicial relationships between states and local governments.
- Understand areas of constant conflicts between states and local governments

3.0 MAIN CONTENTS

3.1 ADMINISTRATIVE RELATIONSHIPS

State – local government relations may not be a constitutional matter in a federal system. Overt the years before 1976, local government units have treated part of state governments. State governments created by by-laws and have effective control on their administration.

However, the nationwide local government reform of 1976 brought local government units into constitutional, especially with the entrenchment of the functions of local government functions entrenched in the fourth schedule of 1979 modified significantly state – local government relations.

This is significant because the local government units were assigned role to play in management of primary school education and primary Healthcare services. These roles created forum for the state and local govnemnt interact as they are beneficiaries of revenue allocation. This constitutional provision in Nigeria helped to establish a formal role for the federal government in local government affairs.

A formal state – local government relations was now created in the process, as state – local government joint account became inevitable to share revenue allocated to local councils from federal account. When it was even realized that state governments were “short – changing” the local government units from the state – local government units’ joint accounts, the national assembly approved an executive bill to enable the federal government allocated revenue directly to the local council units. It was even attached with a clause that should a state

government short-change a local government on funds allocated to them, such state government would be surcharge with equivalent amount the council was short changed. As expected, many state governments protested on this, and called for its abrogation.

However, these provisions for the functions of local government units are encouraging political developments they are yet to be resolved as constitutional accepted state – local government relations. In spite of this, it is an evidence of a working federalism.

3.2 FISCAL RELATIONSHIP BETWEEN STATE AND LOCAL GOVERNMENTS

Financial relationships also exist between the states and local governments. The annual budgets of local government require the approval of the state government before they can be executed. In fact, the state government sets out guidelines for the preparation of such annual budgets. Expenditures above certain limits required approval.

Moreover, local government autonomy is not absolute. The third tier of government retains functional and fiscal relations with the higher tiers of government. The state government relates with local governments as follows:

- i. Allocate 10% of its internally generated revenue to the local governments within the state;
- ii. Enact through the state House of Assembly, a law providing for the structure composition, revenue, expenditure and other matters, such as staffing meetings and other relevant matters provided such laws are not in conflict with the constitution or any existing federal legislation.

- iii. Establish a joint planning Board, through a law enacted by the state House of Assembly; to require each local government within the state to participate in the economic planning and development of the local government area.
- iv. Establish the office of the state auditor – general for local governments for enhanced public probity and accountability at the local government level through the regular auditing of the accounts of all the local governments within the state;
- v. Offer advice, assistance and guidance (but not control), as and when necessary, to local governments in the state.

4.0 CONCLUSION

In this unit, we have examined the relationship between the state and local governments. Local government bye-laws operate strictly within the laws of Nigeria. Any bye-law passed by a local government shall void to the extent of its inconsistency with law validly passed by the state.

Even the executive powers of the chairman of local government shall be exercised as not to impede or prejudice the exercise of the executive powers of the federation or of a state in which the local government areas concerned with situated or to endanger the assets or investments of the government of the federation or the state.

However, the state – local government reactions would continue to witness crises, especially on the issues of “joint account”. Until, federal allocated funds are paid directly to local governments; their autonomy is “widow-dressing”.

SELF – ASSESSMENT EXERCISE

Describe the administrative relationships between states and local governments.

5.0 SUMMARY

In all democracies, state or central government exercise some relationships, such as; fiscal relations – giving grants – in - aid, maintain joint account; and approval of budgets by the House of Assembly. The state also relates to the local government administratively, such as: making rules and regulations that service as guidelines of performance; approval of contract award and projects; borrowing, audit of accounts, statutory consultations, making periodic inspections on programmes and projects, confirmation of by-laws and staffing matters. In spite of local government autonomy as guaranteed in the fourth schedule of 1979/1999 constitutions, it still operates strictly within the laws of Nigeria. Any bye-law passed by a local government shall be void to the extent of its inconsistency with state and federal laws as enshrined in the 1999 constitution.

6.0 TUTOR – MARKED ASSIGNMENTS

1. Describe the fiscal relationship between state and local government?
2. Explain the administrative relationship between the state and local government

7.0 REFERENCE/SUGGESTIONS FOR FURTHER READINGS

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