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Evolution of Local Government and Role of Reforms in Nigeria

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Abstract

This paper discussed the evolution of local government and role of reforms in Nigeria. It adopted a historical approach which eased the task of a systematic and logical presentation of the various developmental trends embedded in the evolution of the grassroots government in the most populous nation in Africa. For a better understanding, this paper was narrowed down to local government in pre-colonial Nigeria, local government in colonial era in Nigerian native administration, local government reforms in the 1950s in Nigeria, local government under military regimes in Nigeria, the 1976 local government reform in Nigeria as well as local government reforms after 1998(new phase of democratic era in Nigeria). It was concluded that Nigeria as a nation has evolved over time as a result of its multi-ethnic, socioeconomic, cultural and political peculiarities. All these helped in shaping the Nigerian federalism especially now that it has enjoyed uninterrupted democratization process for over 20 years.

Keywords: Evolution, Local Government, Reforms, role, development

Introduction

The whole idea about local government is underpinned by the concept of devolution. This involves giving legal powers to sub national unit of government to carry out specified or residual functions on behalf of the central government. Local government is therefore mainly a derivative from the aspect of devolution of power and authority. Local government is a political subdivision of a nation which is constituted by law and has substantial control over local affairs including the power to impose taxes. Usually the government of such is elected. Local government in Nigeria refers to the third tier of government created either by edict/instrument or law/constitution or

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International Journal of Research

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decree to carry out certain political, social and economic functions or responsibilities within a defined territorial area.

These political administrative units exist within a wider and more powerful political structure that is the states and the federal government. As the third tier of government, local government are the lowest level of public governments in Nigeria in terms of power areas of jurisdiction and resource allowed them by the Nigeria state. As creations of edict /instruments or law/ constitution or decree, the local governments are bound by law made for their existence and are legal entities (they can sue and be sued). They are perceived to constitute a system because they are a distinct group of public government found performing the same set of functions all over that country. The major premise on which local government are built presupposes the existence of a local community having a will of its own which must be discovered and respected by giving it due consideration in the formulation and execution of public policies especially towards rural transformation. It should be noted that Nigeria is bounded to the east by Cameroun; Benin Republic on the western side, to the south the Atlantic Ocean; to the north east, Chad and North West, Niger Republic, implying that each of these borders is occupied the people at the grassroots (Okorn and Ndum, 2020).

However, the historical development of Local Government in Nigeria can be examined thus: Local Government in Pre-Colonial Nigeria, Local Government in Colonial Era in Nigeria Native Administration, Local Government Reforms in the 1950s in Nigeria, Local Government under Military Regimes in Nigeria, The 1976 Local Government Reform in Nigeria, Local government reforms after 1998(new phase of democratic era in Nigeria).

Pre-Colonial Administration in Northern Nigeria (Hausa-Fulani Societies)

Not until the Jihad, there was a pre-existing Hausa (Habe) Sarauta system. These Hausa societies were ruled by Habe kings, who were kings over each kingdom comprised of the capital city where the king hired and other numerous villages or cleavages characterised by the ruling class (Sarakuna) and the subjects (Talakawa) groupings. The villages were independent of each other but recognised the authority of the king. The king does not interfere in the village affairs except

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p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04

April 2020

when the regular taxes or tributes for the maintenance and defence of the kingdom are not forthcoming. Each village was headed by the oldest male member of the strongest and most

influential family and assisted by the elders of the less powerful families (Awa, 2006). This

system of administration was truncated after the Fulani conquest and the introduction of the fiefs.

With the introduction of the fiefdoms, the villages lost their independence and were now ruled by

fief-holders who only have access to the paramount ruler or emirs. The Hausa-Fulani political

system in the pre-colonial era was structured as follows:

• the compound as the basic unit of organisation

• the ward comprising of groups of compound

• the village which consisted of a collection of wards

• the fief was a group of villages

• the emirate was a totality of the fiefs within a definable area

• the capital city was the seat of government

These structures also reflected the hierarchy of government, where the reporting and

commanding structure is a vertical relationship.

Pre-Colonial Administration in Western Nigeria (the Yoruba Societies)

The Yoruba societies, particularly the Oyo Empire was a well organised system of government.

Although the political system was headed by a king (Alaafin), it was more or less a constitutional

government with the various levels of governance well defined and structured. The Oyo

government was structured to reflect the three arms of modern state of executive, legislature and

the judiciary.

At the head of government and the executive is the king (Alaafin) who was regarded as a divine

king and the personification of the whole state, theoretically, he could do anything but in practice

he was assisted in government of the kingdom by his senior chiefs, who are responsible for

collection of tributes, settlements of disputes and daily administration of the kingdom. The Oyo

Available online: http://edupediapublications.org/journals/index.php/IJR/

Page | 1347

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International Journal of Research
Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

empire was so well organised and structured that there were constitutional checks on the powers

of the Alaafin which include a constitutional process for the removal of the Alaafin if and when

he lost the confidence of his subjects, he is presented with an empty calabash which signify his

impeachment as the king over the kingdom with the expectation that he is to commit suicide

(Eneany a, 2012).

The Oyomesi Council comes closely below the Alaafin. The Council consists of seven members

which are the Bashorun who is the head of the council, the Agbakin, Shamu, Alapini, Laguna,

Akiniku and Ashipa. The Oyomesi council acts as the legislature of the kingdom. The council

deliberates on crucial matters affecting the society. They are also the king maker and acted in all

respects as a check and balance to the Alaafin.

The Ogboni Cult of the Earth was next in importance in the local administration of the kingdom.

The Ogboni cult was a powerful and dreaded association and was expected to use its power and

authority to prevent any misuse of power by the Oyomesi particularly concerning the rejection or

impeachment of an Alaafin. It was this position of check and balance that effectively controlled

an ambitious Bashorun from usurping the power of the Alaafin. One of the tools used by the

Ogboni cult was the Ifa oracle to consult the gods of the land. In fact the Ogboni cult played the

role of modern day judiciary in the Oyo kingdom.

The last ruling figure was the army headed by the Are-Ona-Kakanfo. The army was not expected

to dabble into political affairs, its sole duty was to expand and defend the empire against internal

and external aggression. One of the unique features of the Oyo army was that, its leader, the Are-

Ona-Kakanfo was not expected to suffer any defeat in the hands of the enemies. When such

happens, he was expected to go into exile or commit suicide. Indeed the Oyo Empire was a

complex one taking into consideration every facet of government which reflects almost all the

institutions of contemporary governance.

Pre-Colonial Administration in Eastern Nigeria (the Igbo Societies)

Available online: http://edupediapublications.org/journals/index.php/IJR/

Page | 1348



Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

The Igbo (Ibo) societies were republican in nature and often times regarded as a stateless state. In the first place, authority in Igbo land was not centralised but segmented and diffused. Power was not focused on one person but on councils and village assemblies, kingship groups or titled men (Ndichies), age set, and societies (women and youth) played considerable role in the governance of the society. Consequently, there were not individual traditional authorities which could rule over the people. The kingship groups presided over by the eldest male were the basic unit of deliberation, decision making, implementation and administration (Goss, 2001). Above all, the Igbo political system was based on the village assembly or councils. These assemblies or village councils were the highest authority organ of legislature and its decisions were supreme and binding. The age grades were part of the machinery for the implementation of the decision taken by the councils. The Igbo societies were not used to direct taxation and disputes were settled by the elders' council as there was absence of a king or central figure. The village head or the council membership were not hereditary or ascribed but through age and achievement.

Pre-Colonial Administration in the Benin Kingdom

The pre-colonial Benin Empire occupied the land to the South East of the Yoruba Kingdom, Ibo on the Eastern borders, Itsekiri and Ijaw lining the rivers in the South West. The kingdom adopted a monarchical system of government headed by the Oba (King). The political life of the people is centred on the Oba. The Oba's great strength is as a result of the people who perceived him as a semi-divine or the representative of the gods and the ancestors. The Oba ruled the kingdom with the help of the chiefs. The Obas were very skilled rulers who utilised the policy of division of labour. The Enigies, who were either the Oba's brothers or his sons, were in control of selected strategic villages. The various categories of chiefs have their functions and most of them occupied positions that were hereditary. The functions of the chiefs were so defined by the Oba that there was political stability in the kingdom. In the kingdom, there is the Uzama council of chiefs or Councillors of the state and king makers (Stoker, 2011). The Uzama are the high rank chiefs of the kingdom and their titles are also hereditary. They are responsible for the coronation of a new Oba who in all times is the eldest son of the dying king. The Uzama Council occupied an advisory role to the Oba. Though the Uzama can crown the new king, but cannot



Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

reject a ruling king since no provision was made for this in the kingdom constitution (convention). The kingdom also maintains a large army headed by the Ologbosere. Finally, the Oba has the right to reward or decorate with honour any deserving sons and daughters of the land.

Local Government in the Northern Region of Nigeria in Colonial Era

In the North, the colonial administration represents a system of indirect rule administered through the traditional rulers or emirs. The colonialist explores the position of the traditional rulers or emirs for the implementation of colonial policies formulated in Britain. The emirate system in Northern Nigeria provided the needed platform for indirect rule to thrive; this is because of the well-established traditional system of administration which was highly centralised (Bello, 2007). Through this system the colonial administration had no direct dealings with the people, but with the emirs and traditional chiefs who provided the needed machinery of governance. In view of this, the indirect rule system through the native authorities achieved a great success in Northern Nigeria.

Local Government in Western Region of Nigeria in Colonial Era

Local government in the Western Nigeria during the colonial rule also took the form of indirect rule, the Obas and chiefs also presented the needed platform for the colonial native administration. The Obas and chiefs were also responsible for the daily administration of the people but they were only administering the colonial policies, which include the collection of taxes. However, the system was partially successful as the Obas and chiefs had no absolute control over the citizens (Geddes, 2005). This was further compounded by the fact that almost every part of the region had its own Oba or chief, unlike the Northern region where the emirs were larger than life. Again, the west had religious multiplicity, i.e. the Christian faith and Islam, unlike the North where Islam was basically the major religion used as a unifying factor.

Local Government in Eastern Region of Nigeria in Colonial Era



Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

In the east, an attempt was also made to rule through the chiefs and traditional rulers in order to maintain the principle of indirect rule, unfortunately, this was not possible due to the absence of a central figure as a traditional ruler. In other words, there was lack of a central authority or traditional institution. In order to cover this gap, the colonial administration introduced and appointed warrant chiefs for the purpose of local administration. The introduction of the warrant chiefs into a society that was basically republican sparked off a strong resistance from the people, who were not used to direct taxation introduced alongside the warrant chiefs. The situation was also compounded by the corrupt practices engaged upon by the warrant chiefs who perceived the position and privilege as an opportunity to enrich themselves. Therefore, local administration during the local era was a failure in the Eastern region of Nigeria. In fact part of the failure was the Aba women's riot of 1929.

Local Government in Southern Region of Nigeria in Colonial Era

The Southern region of Nigeria was divided and grouped under the Western region and Eastern region. In the pre-colonial era, these southern kingdoms of Benin, the Ijaws, Urhobos, Itsekiris, Ibibios, Kalabaris and the Efiks were grouped for administrative reasons under the Western and Eastern regions. The Benin kingdom, the Urhobos and Itsekiris were grouped under the Western region while, the Ijaws were split between the Western and Eastern regions with the larger part under the Eastern region. The Ibibios, Efiks and Kalabaris were under the Eastern region during the colonial era. In the Eastern region local government administration were according to the dictates of the colonial masters which was the appointment of warrant officers in these riverine communities of Ijaws, Itsekiris, and Efiks. In the Benin, Urhobos and Itsekiris kingdoms, the policy of the indirect rule through the Oba and chiefs as in the central Yoruba kingdom of Western region also applied. The southern communities only followed the dictates and reacted according to the region in which they found themselves.

Local Government under Military Regimes in Nigeria



Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

Aguiyi-Ironsi 1966-1966

General Johnson T. U. Aguiyi-Ironsi became the Head of State as a result of the failure of the January 1966 coup led by Major Kaduna Chukuma Nzeogwu and four others. The regime inherited the local government reforms of the 1950s carried out by regional governments. As the first military regime, the administration was faced with the issue of unity in the country. General Aguiyi-Ironsi appointed Military Governors for the regions. The Governors dissolved all existing councils and appointed civil servants as sole administrators to run both the political and administrative functions of the councils. As a result of the appointment of the sole administrators, the little achievements of local councils as democratic system were eroded.

General Yakubu Gowon Military Regime July 1966-July 1975

The January, 1966 coup that brought in Gen. Aguiyi Ironsi was seen as an ethnically motivated coup and only lasted six months with a retaliatory coup by the Northern arm of the military that brought in the then Lt. Col Yakubu Gowon. This brought discontentment and the Eastern region then asked for secession from the federal republic. This led to the Nigerian civil war with the then Lt. Col Odumegwu Ojukwu leading the East. The coups and the civil war dismantled all form of progress, both administrative and democratic goals achieved in the area of local government. In 1967, the administrative structure of Nigeria changed with the creation of twelve states from the existing four regions. Military Governors were appointed and they dissolved all the existing local government structures. In the Northern part of Nigeria the local government witnessed some structural and administrative changes with a view to improve on the system to allow for more decentralization of powers and widening the scope of representation. Part of the reforms was that each state enacted an edict to reflect the changes as dictated by the state Governors. As a result of the reforms, some large councils were sub-divided into smaller units. The name native authorities were changed to local government authority or local government area depending on the state. In the Western part of the country, local advisory councils or committees replaced the sole administrators in the councils. In 1971, the conditions of service of local government staff were harmonized with those of civil servants at the state level. This was done with the aim of attracting qualified personnel to the local government service. In 1972, the

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IIR

International Journal of Research

Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

council-manager model of the United States and Canada was adopted. It abolished and replaced the advisory committee system and provided for a standing management committee as well as an administrative executive. The management committee acted as the legislative body of the council performing such duties as; formulating policies, plans and schemes, making bye-laws for the council area of jurisdiction, enacting local ordinances and regulations and governing the citizens under its jurisdiction, this was the practice until the 1976 reforms. In the Eastern states, the civil war had diverstating effects on local government administration and as such the growth and development of the local government were retarded. However, these Eastern states and the then Bendel state adapted the French model which emphasis was on development administration for their local government system. To achieve the intended social and economic development, a two tier local government system was created that is, County/Urban Development Council and Area Development Committees. At the state levels or capitals, there was a local government central development committee headed by a Chairman referred to as the coordinator of development administration (Bello, 2007).

The 1976 Local Government Reform in Nigeria

The local government structure and administration in Nigeria took a different turn during the General Murtala Mohammed/General Olusegun Obasanjo military regime of 1975–1979. The regime was the most fundamental in terms of local government reforms that makes the 1976 local government reform in Nigeria a reference point in local government administration in Nigeria. The administration was clear in making local government a third tier of government in Nigeria. The regime came out with what it called "Guidelines for local government reform Federal Republic of Nigeria, 1976. The intention of the regime was to stabilize and rationalize government at the local level. And the regime was determined to make local government system more effective and efficient at the grassroots or local level. The regime reform remained the most radical transformation of the local government system in Nigeria. However, the assassination of Gen. Mohammed did not adversely affects the reforms as Obasanjo continued judiciously the administration programmes for local government reforms. The 1976 local government reform

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IIR

International Journal of Research

Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

perceived local government as "government of local level exercised through representative council established within defined areas. 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 government in their areas" The 1976 reform marked the beginning of stable local government administration in Nigeria (Fatile andAdejuwon, 2008).

The Standardization of Local Government

The 1976 local government reforms in Nigeria marks a point of departure from the colonial and post colonial local government administration. It elevated the local government council to the third tier administration in Nigeria. The reforms made an attempt to correct the defects of the previous local government system in Nigeria and for the first time in the history of local government, we had a document that provided guidelines for the creation of uniform local government in all the states of the federation. One of the major reasons for the 1976 reforms was the persistent instability that characterized Nigeria local government. It was believed that the standardization of the basic structure, functions and powers of local government by the reforms would minimize the problem of instability. The reform spelt out in specific terms the mission of local government as follows; to make appropriate services and development activities responsive to local wishes and initiatives by devolving and delegating them to local government representative bodies; to facilitate the exercise of democratic self-government close to the grassroots of our society and to encourage initiative and leadership potentials; mobilization of human material resources through the involvement of members of public in their local development; to provide a two way channel of communication between local communities and government (both state and federal).

Local Government as Third Tier of Government

The special features of the 1976 reforms include among others, local government as a third tier of government; multi-purpose single tier structure; elected local government councils, a unified local government service to be established by each state through the local government service

Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

board; each local government area is to have a population of between 150,000 and 800,000, but no town should be spilt no matter its population; 10% statutory allocation to all local councils from the federation account; recognition of traditional council in each local government and a police committee for each local government. With these, local government administration occupies a prominent place in governance in Nigeria. The 1976 reform remains a point of departure for local government administration in Nigeria.

Establishment of Local Government Service Board

The 1976 reform empowered the various state governments to set up a local government service board to perform personnel management functions as it relates to recruitment, posting, promotion and discipline of all members of staff of the councils. The Board is basically to perform the same kind of functions like the state civil service commission and it is to harmonize salaries, pension, gratuities and other benefits with that of the state civil servant (Wilson, 2005). It is perceived that with the harmonization of these conditions of service with that of the state and federal the sound development civil servants, local government will attract the needed professional and competent personnel for the sound development of local government as a third-tier of government.

Recognition of Traditional Institutions

The 1976 reform gives statutory recognition to the traditional institutions by setting up traditional council in each local government of the federation. The council is composed of traditional rulers and representative of the council. The council is charged to act as advisory body to the local government; coordinate development plans of the local government by joint discussion and advice; community tax assessment and collection in the area; and control of chieftaincy matters.

Establishment of Police/Community Relations Committee

The 1976 local government reform also made provision for the establishment of police-community relations in each local government with the sole purpose of enforcing local government laws and maintaining law and order.

Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

The 1976 Mohammed/Obasanjo local government reform laid a solid foundation for local government administration in Nigeria. The regime was committed to making local government councils spring board for democratic transitions. Most of the features of the 1976 local government reforms were reflected in the 1979 constitution of Nigeria which ushered in the Alhaji Shehu Shagari civilian administration. The 1976 reform still remains the most comprehensive local government reforms in Nigeria

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



Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

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

General Mohamadu Buhari Military Regime 1984-1985

Dasuki Local Government Review Committee of 1984

The Buhari military regime came at the heels when the country was just trying to consolidate its democracy. The regime as expected of a military regime dismantled all democratic structures including local government councils, and appointed sole administrators for each local government council. The sole administrators as usual were responsible to the Military Governors of the state. The regime then set up a 21 member committee headed by Ibrahim Dasuki to review the existing local government system with a view to reform the system. The term of reference for the committee among others were; to evolve the most suitable mode of managing the local government within the context of the present military administration; to re-examine the existing structures, functions and financial resources available to local government for the performance of these functions; evolve proper place of traditional authorities in local government. The committee among other things recommended that the existing structures and functions of local governments as contained in the 1976 reformed be sustained and maintained. The Buhari regime was sacked by the Babangida palace coup in 1985 before a white paper in the report of the committee could be published (Wollmann, 2004).

However, in 1986, Alhaji Ibrahim Dasuki Report made improvement 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



Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

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.

General Ibrahim Babangida Military Regime 1985–1993

The Babangida administration made tremendous steps in elevating the status and functions of the local government. He introduced the executive presidential system of government into the local government to complement with what operate at the state and federal level. By the decree 23 of 1991, each local government were to have and operate an executive cabinet composed of the Chairman, with five Supervisory Councillors and Secretary appointed by the Chairman. Each local council also consisted of a legislature; the system was anchored on the practice of separation of power. The 1991 reforms also gave the local government the functions of primary education and primary health infrastructure. The local government was to take over the payment of salaries, allowances, pensions and gratuities of the primary education and primary health facilities. In order to be able to perform these additional tasks, the statutory allocations to local government was increased from 10% to 15% from the federation account. The allocation was also to be given direct without passing through the state. Thus the Babangida regime was committed to an autonomous local government system.

General Sani Abacha Military Regime 1993-1998

The Abacha regime also dissolved all the democratic structures at all levels including the elected councils. He appointed caretaker committee with career civil servant as secretaries. The regime increased the numbers of local councils from 589 to 774 and conducted elections with the local council first on non-party basis, then on a multi-party basis. The elections were fraught with irregularities as candidates had to identify with Abacha to be cleared for or to win elections. The insincerity associated with the regime in its course of pursuing the transition programme led to its demise and the death of the Head of State was the last straw that broke the camel's back.

General Abdulsalam Abubakar Military Regime 1998 - 1999

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International Journal of Research

Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

Gen. Abubakar became the Head of State following the death of Gen. Abacha. Abubakar regime was basically a transition regime. However, like all other military regimes before him, he was quick to dissolve the elected local government councils and replaced them with career civil servants as sole administrators and later caretaker committees with nonpartisan members. As part of its transition to civil rule programme, the administration successfully conducted local government elections on multi-party basis in December, 1998 as its first step of disengaging from power. It was on this foundation that created the platform for the success of the transition to democratic rule (Ladner, 2005).

Local Government Review of 2004

This review took place under the chairmanship of the Late Etsu Nupe, Alhaji Umaru Sanda Ndayako and later replaced by Alhaji Liman Ciroma. The Federal Government issued white paper on the Report and the National Council of States endorsed the report. The contents of the report were:

- i It retained the existing 774 local government councils;
- ii All local government council must submit their annual budgets to their State Houses of Assembly for approval;
- iii 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;
- iv That local government should fund their various services and Agencies, including paying salaries of paramount Traditional Rulers and primary school teachers
- v Administration of local government is purely the responsibility of State House of Assembly, which will make appropriate legislation and
- vi 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.



Available at https://edupediapublications.org/journals

p-ISSN: 2348-6848 e-ISSN: 2348-795X Volume 07 Issue 04 April 2020

Conclusion

In 2005, another provision was passed into law by the National Assembly, which empowered 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 provision received criticism from the Conference of Assembly of Speakers, who looked at such provision as unconstitutional and encouraging corruptions in Local Government Administration (Wollmann, 2004). Though, the Assembly of Speakers criticized this provision, majority of Nigerians welcomed 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 fulfil 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.

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