

**MPA 870: LOCAL GOVERNMENT ADMINISTRATION
(MASTER OF PUBLIC ADMINISTRATION)**

COURSE GUIDE

NATIONAL OPEN UNIVERSITY OF NIGERIA

INTRODUCTION

Local Government Administration is one-semester course for student offering Master of Public Administration. It is a 3 credit units course consisting of 25 units. Each unit is supposed to be covered in three hours. It is also core a course.

The course consists of 6 modules and 25 units. The modules are: theoretical basis of understating local governments (4units) structures and functions of local government (10 units) leadership and personnels of local governments (3units) Local Government Finance (3units), Local Government and development Administration appears to be difficult to prepare. This is because after the theoretical aspect that relates generally to local government, one would need a lot of examples to start discussing specific aspects of local government. There is the danger of falling into a discussion around comparative local government. There is also the danger of adopting a country and using it as the reference point throughout the course. Yet we are aware that this is not a course on Nigerian Local Government, neither is this a course on Comparative Local Government. Unfortunately a course on Local Government Administration cannot be written without reference to these approaches.

In this course therefore, you will discover the adoption of both methods. Attempt is made sometimes to discuss Local Government Administration comparatively while in most cases, examples are drawn from the Nigeria situation. Countries used for comparative experiences are Britain, the United States, France, India, Tanzania and Nigeria.

This course Guide tells you briefly what the course is about, what course material you will be using and how you can work your way through these materials. It also highlights issues of timing for going through these units, and explain the Activities and Tutor Marked Assignment. There are supposed to be tutorials attached to this course and taking advantage of this will bring you into contact with your teacher which will enhance your understanding of this course.

WHAT YOU WILL LEARN IN THIS COURSE

The overall aim of this course on Local Government Administration is to expose how public administration takes place in local government. This is done to broaden your perspective on public administration and stimulate your interest in government. It is also to make you appreciate that local government may be small governments but its administration is a reflection of what takes place in higher government.

During this course, you will learn about theories of local government and structure of local governments.

You will therefore learn the idea behind local government, what they are really created to do and how they are structured to do it, what type of personnel handle such administration, what are their source of finance, what type of expenditure do they engage in and what development do they effect in local Knowledge of these will lead to the appreciation of the institution and the service they render.

COURSE AIMS

The aim of this course as pointed out earlier is to expose the students of public administration to the concepts, structure, organization and service delivery capacity of local government. It is to make you appreciate the scope of local government the way they operate and what they are capable of doing.

This will be achieved by aiming to

- a) Introduce you to the basic concepts and principles of local
- b) government
- c) compare the structures and functions of local government in a number of course
- d) give an insight into the leadership and personnel systems that operate these structures and translate local resources into service;
- e) explore the sources of revenue to local governments and also their; expenditure pattern
- f) appraise the development potentials of local government.

COURSE OBJECTIVES

To achieve the aims set out above, the course sets overall objectives. In addition, each units also has specific objectives. The unit objectives are always included at the beginning of a unit. You are advised to refer to them as you study each unit – both at the beginning and at the end to ensure that you check your progress and that you have done what is required of you by the unit.

Below are wider objectives of the course as a whole. By meeting these objectives you should achieve the aims of the course as a whole.

On successful completion of the course, you should be able to:

1. Identify and explain the main concepts associated with decentralization
2. Situate local government in the intergovernmental maze and so, appreciate the level of autonomy, or the control of the institution.
3. Appreciate the philosophy of local government.
4. Describe and compare the structure and functions of local government as they apply to different countries bringing out how these structures are conditioned by the overall system of government.
5. Identify and discuss what leadership system exists in local government and how such leadership relate to the career officers of local government.
6. Discuss the pattern of local government revenue and expenditure and therefore explain the budgets and services provided by local governments.
7. Explain the development potentials of local government, the types of services provided and the factors that militate against development at the local level.
8. Read a set of articles and apply these to the concepts and issues covered in the preceding units of the course.

WORKING THROUGH THIS COURSE

To complete this course you are required to read the study units and recommended text books and explore more current materials on the internet. You may also need to visit the local governments around you to observe practically some of the things conveyed in this course, for example, services delivered by local governments. You could also have a chat with local government staff on a wide array of issues including the problems they face. Note also that local government is a living subject and there are developments daily about the organization especially in your country, so, you are advised to keep abreast of these in the newspapers and magazines and even the radio.

In this course, each unit consists of exercises or activities to test understanding from time to time. At a point in your course, you are required to submit assignments for assessment purposes. At the end of the course is a final examination. Below you will find listed all the components of the course, what you have to do and how you should allocate time to each unit in order to complete the course successfully on time.

COURSE MATERIALS

Major component of the course are:

- Course Guide

- Study Units

3. Further Readings

4. Activities and tutor Marked Assignment

Every thing is contained in each unit except the test books which you may have to prepare. You are advised to source current materials on the net and avail yourselves of newspaper and magazines and other publications on local government. You may contact your tutor where you run into problem about text books.

STUDY UNITS

There are twenty five units in this course as follows:

UNIT 1 The idea of Local Government

UNIT 2 Decentralisation and Related Concepts

UNIT 3 Theories of Local Government

UNIT 4 Local Government in Intergovernmental Relations

UNIT 5 Structure of Local Government

UNIT 6 Functions of Local Government

UNIT 7 Structure and Responsibilities of Local Authority in Britain

UNIT 8 The Structure and Responsibilities of Local Government in The United States of America.

UNIT 9 The Structure and Administration of City Government in the United States

UNIT 10 Structure and Responsibilities of Local Government in France

UNIT 11 Structure and Responsibilities of Local Government in India

UNIT 12 Structure and Responsibilities of Local Government in Tanzania

UNIT 13 Structure and Responsibilities of Local Government in Nigeria

UNIT 14 Structure and Responsibilities of Local Government Department in Nigeria

UNIT 15 System of Government/Leadership in Local Government

UNIT 16 The Committee System in Local Government

UNIT 17 The personnels of Local Government

UNIT 18 Local Government Finance (Revenue Sources)

UNIT 19 Local Government Finance in Britain and the United States

UNIT 20 Management of Local Government Finance

UNIT 21 Local Government as Instrument of Development

UNIT 22 Problems of Development at Local Government Level

UNIT 23 Local Government and Health Care Delivery

UNIT 24 Overview of Local Government in Nigeria

UNIT 25 Some Basic Concepts of Government and their Relevance to Local Government Administration.

As pointed out earlier, these units are classified into modules as follows:

Module 1 Unit 1-4

Module 2 Units 5-14
Module 3 Units 15-17
Module 4 Units 18-20
Module 5 Units 21-22
Module 6 Units 23-25

Each module is representing a homogenous body of issues on local government administration.

Module one addresses conceptual or theoretical issues.

Module two is about structure, functions and responsibilities of local government on a comparative basis. Module three looks at leadership systems and the personnels of local governments. Module four takes a look at finances of local government while module five looks at development issues. The last module selects three articles that relate to what has been covered in terms of concepts, history and departmental organization and services.

You must read each unit carefully, The basic knowledge on the topic is conveyed here. An update of the knowledge is in reference materials of currency. Supplementary reading is advised. As you work through each unit, the core of the unit is at the 3.0 level. The conclusion (4.0) helps to round up what has been said far while “summary” (5.0) gives a brief summary of the major issues discussed. This is meant to assist you to remember the key issues and simplify the discussion at the end.

At the end of some issues discussed at the 3.0 level in the unit, you will come across “Activity”. These are meant to provide simple questions to enable you comprehend or remind yourself of the things discussed before the Activity. Answers are directly provided in most cases.

Do not consult the answers until you have attempted the questions. You may sometimes observe that the answers provided give you more insight than may have been originally conveyed, (especially with the tutor-marked question. This is part of the characteristics of essay questions)

TEXT TEXTBOOKS

There is no compulsory textbook for this course. However, as you go through the course, you will observe that some textbooks are recommended often. This shows that it is crucial to a number of units. Please try and consult these. Moreover, each

units has its own assigned texts and document. You should also lay your hands on these for further understanding.

ASSIGNMENT FILE

The major assignment required of you is a tutor-marked assignment (TMA) which you are expected to complete at the end of each unit and mail to your tutor.

COURSE ASSESSMENT

Your assessment for this course is made up of two components:

- g) Tutor-marked assignment
- h) Final examination

The practice exercises (or activity) are not part of your formal assessments but it is important to complete all of them. If you do the practice exercise, it will facilitate your understanding of the subject matter or topic and your tutor-marked assignments.

TUTOR-MARKED ASSIGNMENT (TMA)

Each unit in this course has a TMA attached to it. You can only do this assignment after covering the materials and exercise in each unit. Normally the TMA are kept in a separate file. Your tutor will mark and comment on it. Pay attention to such feedback from your tutor and use it to improve your other assignments.

You can write the assignment by using materials from your study units and from textbooks or other sources. It is however preferable that as a graduate student, you should demonstrate evidence of wide reading especially from texts and other sources—something to show that you have researched more widely.

But do remember that copying from any sources without acknowledgment is plagiarism and is not acceptable. You make references properly when you refer to other people's work.

The assignment are in most cases essay questions. Examples from your experience or environment are useful when you answer such questions. This allows you to apply theory to real life situation.

CONCLUSION

Local Government Administration is an interesting course. It provides you with theoretical, comparative and case study perspective in understanding the subject matter. It is designed to enable you understand the workings of local government and appreciate its usefulness as a tier of government. Perhaps those of you who have been ignorant about this institution will after this course start

to take interest and start applying yourselves to this institution. Good Luck and enjoy the course.

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COURSE DEVELOPMENT

Course Developer

DR. ADEJO ODOH
DEPARTMENT OF LOCAL GOVERNMENT STUDIES
INSTITUTION OF ADMINISTRATION, A.B.U. ZAIRA

Programme Leader

DR O. J. Onwe
National Open University of Nigeria, Lagos.

Course Coordinator

Martha U. Nkom
National Open University of Nigeria, Lagos.

NATIONAL OPEN UNIVERSITY OF NIGERIA

UNIT 1

THE IDEA OF LOCAL GOVERNMENT

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1.0 INTRODUCTION

In this unit, attempt is made to present the basic idea about the government. This includes the philosophy, need for the institution, definition, and role of local government. You will need to understand these to be able to appreciate the specific issues you will follow in subsequent units. These issues here are actually background issues. The other way of stating all these, is what are local governments? Why do we need them? What role do they play in the life of individual and communities? (What type of development do they facilitate?).

2.0 OBJECTIVES

At the end of this unit, you should be able to

1. Advance five reasons why local governments are necessary
2. Define local government from the perspectives of two authors
3. State 5 characteristics of local government
4. Outline the key issues on the political and socio-economic role of local government.

3.1 THE PLACE OF LOCAL GOVERNEMENT

Local Government is the closest tie of government to the people. In a unitary system, power is shared between the Central Government and local government. In a Federal system power is shared between Federal-State and Local Governments. Generally we talk of a central-local relationship. In a Federal system however, the relationship is largely between the state or regional government and local government because, constitutionally local government are within the constitution mandates of the state or regional governments.

Basically, in any system local governments are created to decongest the functions and burden of central governments and to provide services that are local in character.

The rest of this unit looks at the meaning of local government, the specific purposes of local government and role of these institutions.

3.2 THE NEED FOR LOCAL GOVERNMENT

The need for local government may be stated specifically as follows:

- a) It is more democratic. This is referring to the fact that it increases the scope for citizenship participation in the government of their locality.
- b) It provides valuable political education. This type of education expose citizens to power and authority – its acquisition, its use and its risk.
- c) It trains people for higher public offices. Local Government becomes a platform or a springboard for acquiring experiences for higher career in government.
- d) Local knowledge is brought to bear on decision by local government.
- e) It is more sensitive to local opinion. Councilors and representatives are closer to the people and respond much easily to their demands or to be voted out.
- f) Local initiative can easily be identified and taken on board especially in mobilizing community to gain local support for projects.
- g) Power is more widely dispersed which is a safeguard against tyranny. The local government system protects citizens against this.
- h) Local variations and needs in service provision can better be handled by local government since it understands the needs of its own locality.

ACTIVITY 1 Now that you have seen the need for local government, identify the contributions local government can make to your community and two negative things it can do to you and your community.

ANSWER

Contributions

- Mobilize groups for community development in my community
- Provide services to my community
- Prepare people for political offices
- Cause disaffection among community groups as a result of party politics
- Marginalize my community by not providing services

3.3 MEANING OF LOCAL GOVERNMENT

Local Government is grassroots government recognized by law. It is defined severally by authors and bodies. Let us look at the definition of government from the perspective of one author and two bodies or documents.

Maddick (1963) defines local government as

A sub-unit of government controlled by a local council which is authorized by the central government to pass ordinances having a local application, levy taxes or exact labour and within limit specified by the central government, vary centrally decided policy in applying it locally.

The United Nations defines local government as

a political sub-division of a nation (or in a federal system, a state) which is constituted by a law and has substantial control of local affairs including the power to impose taxes or to exact labour for prescribed purposes. The governing body of such an entity is elected or otherwise locally selected.

The Reform document (Nigeria 1976) defines local government as: government at local level exercised by representative council, established by law to exercise specific power within defined areas

From the three definitions above, certain characteristics of local government stand out

- a) That local government is a subordinate system of government
- b) It has both legal and constitutional power to perform certain legislative, administrative and quasi judicial functions
- c) Has the power to make policies, prepare budgets and a measure of control over its own staff.

- d) Its council could be elected or selected.
- e) It has legal personality i.e. can sue and be sued.
- f) It exercise authority over a given territory or population.

These definitions, point at local government as having government character within limited powers.

This can be further broken down more specifically as follows:

- a) Legal entity which can sue and be sued for wrong doing.
- b) Power to make its own laws, policies, plans and budgets on what to do, how why, where, when, for who and at what cost.
- c) Legislative body called a council composed of elected councilors and a chairman to make laws and policies.
- d) Executive body called the Committee composed of appointed or elected officials and the chairman to formulate policies and laws.
- e) Administrative body called the local government service composed of career civil servants to assist in formulating and in implementing laws and policies.
- f) Power to tap human, financial and material resources for public use within the geographical area.
- g) Answerable to a higher level of government (National or state or regional) on certain power and functions it carries out (especially concurrent function). This is to say that a local government is not absolutely autonomous.

ACTIVITY 2 *From the characteristics of local governments, state 5 power*
local governments enjoys.

ANSWER

- Power to make laws, policies, plans and budgets
 - Power to tap human, financial and material resources.
 - Power to sue
 - Power to exercise authority over a territory or population

3.4 ROLES OF LOCAL GOVERNMENT

The roles of local government are in some ways similar to those of central government. Central government exists to provide for development services to the people and provide security for the citizenry and ensures participation of the citizenry in government.

To some extent local government performs such roles even though with some varying degree of intensity. For easier understanding such roles could be classified into two viz; political and socio-economic roles.

3.4.1 Political Role

Local governments are veritable and appropriate institutions for promoting democracy at the local level. They are well placed to mobilize the people politically through political education, political enlightenment and political actions. Local Government have become very useful tool for the conduct of election at all levels of government. With such, the process of political participation is institutionalized and the institution can then help to people for higher responsibilities.

Another political role is that of maintenance law and order. Local governments have the instrumentality of the police at their disposal and therefore work with its leadership at the local level to enforce law and order and maintain security. Moreover, certain committees such as the Security Committee, the police Committee, facilitate such exercise.

Furthermore, to enhance responsive governance, local governments serve as a two-way channel of communication between the government and the governed. Just as it transmits the decision of governments to the local people, it also conveys or channels their demands and feedback on policies to governments (local or central).

3.4.2 SOCIO-ECONOMIC ROLE

The exercise of democracy and human rights can only be meaningful if demands and policies can be translated into physical development including the provision of basic socio-economic services. Services of local government are primary or basic in nature as reflected in their functions. Some of these are basic health, basic education, agriculture and revenue raising and regulating functions. People expect such services to be delivered to make any meaning of democracy and bureaucracy at the local level. The services delivered also depend on the nature of the local government – whether it is a municipal council or a rural council – the complexity may depend on the level of urbanization or the availability of funds.

In providing socio-economic services, local governments have to work with community groups and the citizenry to harness community energies and input into development. A greater part of the developmental initiatives and effectiveness in local government is a function of community development or self- help groups.

These two roles of local governments will be revisited in another form when in a later unit look at the theories of local government and the argument for each of these role highlighting the importance of each.

3.0 CONCLUSION

Local government, from the brief discussion on need, definition and roles above can be seen as the government at the grassroots level designed to decongest the activities of higher tiers, transmit policies and demands and promote democracy. Very importantly, it is supposed to bring about the development of communities, being urban or rural.

It should be noted that in doing this, they enjoy some powers and at the same time some constraints. They are not autonomous or independent entities but subordinate governments, subject to various forms of dictates and controls. Local government becomes indispensable because of what they do to affect the lives of rural communities and how their activities can also contribute to national development.

All these issues of need, role, and meaning will receive expansion in the subsequent units as we discuss powers, structures, functions, personnel and finance etc,

4.0 SUMMARY

Let us recall the major things we have talked about in this unit.

Local governments are the closest government administration to communities. They enjoy political, legal, constitutional, administrative, financial and territorial power. Local governments help to enforce democracy at the local level while bringing about socio-economic development in rural areas.

5.0 TUTOR MARKED ASSIGNMENT

1. Discuss a political, social and economic reason why you feel your local government is important.

ANSWER

Introduction - Local governments are created to decongest the services of government

- They are also to effect development

Political Need - Local governments will promote democracy thereby producing good leaders and representatives from the

- community – (Give examples with the present or past actors).
- Social Need Local Governments promotes community**
understanding through encouragement of group organization. This will in turn promote self help.
- Economic Need** - **Local government has the resources to**
intervene and regulate in the development of the community especially at the level of services and even economic development. (Point to a few of these achievement by local governments in your community)

6.0 REFERENCES (FURTHER READINGS & OTHER RESOURCES)

H. Maddick, Democracy, Decentralization & Development (Asia Publishing House, Bombay, 1963) Introductory Chapter.

P.C. Akpan, Modern Local Government Administration in Nigeria (Unpublished, 1984 Ch. 1.

M.P. Barber, Local Government (Third Edition) (Macdonald & Evans Ltd., London, 1974) Ch. 1

DECENTRALIZATION & RELATED CONCEPTS

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1.0 INTRODUCTION

In this unit you will be introduced to some basic concepts that describe local governments on the basis of how much power local governments enjoy vis a vis central government. It is on the basis, that local governments are classified.

The major concept is that of decentralization. Other associated words are defined and in some cases applied. You are required to familiarize yourself with meanings and usage of these concepts because this will be useful at a comparative level. For example if we say, local governments in France before 1982 were a deconcentration, we expect you to figure out the meaning without much stress. (Watch out also for the question that applies to Nigeria at the end of the Unit)

3.0 OBJECTIVES

By the time you go through this unit, you should be able to:

- i. Define decentralization and the various forms associated with it.
- ii. Differentiate between decentralization, devolution and deconcentration
- iii. Differentiate between local authority, local government and local self government
- iv. Appreciate the element of power in all the above definitions and differentiation
- v. List five contributions of decentralization to developing governments.

3.1 THE NATURE OF DECENTRALIZATION

Local government is a decentralized political entity. You may recall in the First Unit how we identified what types of power local governments enjoys including constitutional-legal, political and administrative etc. The powers of local governments are subject to various forms of control by the central government etc. The balance of this control is the power enjoyed by local government (which is technically referred to as autonomy). It is therefore possible to say that the less the control on local government by the central government, the more autonomy conceded to these units. In this same vein, the tighter the control of local government affairs by the central government, the less the autonomy or local government powers.

Decentralization is a term that summarizes this spectrum of power relations or levels of institutional power. In some systems, local governments enjoys greater control over their affairs (especially Federal system) while in unitary system, the tendency is for greater control of local government.

The concept of decentralization refers to the transfer of government functions and power to both agents and units of government in a given country. What makes this term or concept important for local government is its types. There are two types of decentralization viz: deconcentration and devolution.

Deconcentration is the delegation of authority, adequate for the discharge of specified functions to staff of central departments who are situated outside the headquarter. Alderfer (1967) adds that is the transfer of powers to subordinate authorities, whether offices, individuals or field units.

Devolution is the legal instrument conferring of power to discharge specified or residual power upon formally constituted local authorities. Local governments can therefore be classified as a deconcentration (i.e. deconcentrated units) or a devolution (units with substantial power). Local governments that enjoys devolution of powers are likely to be more

autonomous (or exercise greater powers over its local affairs) than local governments that are deconcentrated.

Local governments that enjoy devolution are likely to exhibit the following characteristics.

- a) Its existence is constitutionally guaranteed
- b) It also has constitutional backing to perform certain statutory functions
- c) Exercise power or control over policies, budget preparation its revenue and its staff
- d) The council is democratically constituted and therefore accountable to the people (i.e. the people become a primary source of power).

A deconcentrated arrangement denies local governments of the powers enjoyed especially in (c) above.

The issues of decentralization will be revised in Unit 3 on the theories of local government, but suffice it to say that most federal governments encourage devolution of powers while unitary governments deconcentrate powers to local authorities.

3.2 THE MEANING OF DECENTRALIZATION

As can be appreciated by now and as a matter of fact, local governments are form of decentralization. We have also just explained the two forms of decentralization viz; deconcentration and devolution and their meanings. Some authors will equate devolution with decentralization because it is closer in usage to local governments. Remember deconcentration means transfer of powers to subordinate authorities, whether offices, individuals or field units. Such that transfer of powers is done by central governments for ease of administration. Such arrangement is close to what is referred to as Field Agency i.e. any organization or Ministry or Department of the Government operating outside headquarter. The characteristics of devolution or decentralization outlined above explain why they are synonymous with local governments especially the attribute of elected leadership and measure of control over staff and finances all of which are lacking in field agencies. One thing we can say is that the more the devolution of powers the more autonomous local government will become.

3.3 WHY DECENTRALIZE?

- a) Decentralization becomes imperative because of the need for social change (especially in developing countries) and the difficulty of communication.
- b) There is need to establish local governments to serve as nuclei of local energies, enthusiasm and initiative for a more virile system of local authorities. Such units will take care of diversity, local variations and the difficulty in (a) above.
- c) Not all functions can be performed by the centre – some functions are local in nature. Decentralization therefore is a devise to aid the achievement of the ends of government or to aid development.

3.4 OBJECTIVES OF DECENTRALIZATION

The objectives of both deconcentration and devolution are:

- i) to decongest the functions of government from one centre to various parts of a country or state;
- b) to provide government services and facilities to every nook and corner of a country or state i.e. to promote even development of all parts;
- c) to involve all citizens of a country and or state in governance through political means and policy making;
- d) to tap human, financial and material resources parts in all parts of a country or state for public use;
- e) to take care of peculiar needs and or problems of each part of a country or state.

3.5 Factors Affecting the Decision of Government to Decentralize

For government to be able to carry out its domestic services, it require organizations outside its headquarters. This applies to traditional centred functions like tax collection, policing, post and telecommunication, to personal services of citizens such as agriculture, education, health ~~welfare~~ or the supporting services of these such as irrigation, forestry and trunk road construction.

The level of decentralization will depend on the general conditions or the phase of development in which the administration and the people are in each country.

3.6 The Contribution of Decentralization

The most important contribution that agencies that can make to the tremendous programme facing developing governments are as follows:

- a) The provision of services in the area where they are required, matching central government policy and local need
- b) Close contact with the local area, enabling detailed plans to be evolved
- c) Economy in men, materials, equipment
- d) Flow of information recurred from the rural areas and outward to the headquarters
- e) Intimate association with local people aiding societal and economic change
- f) Protection of rural inhabitants and aid in emergencies
- g) Maintenance of infrastructures and capital work
- h) Development of the local government system

ACTIVITY 1

List two advantages and two disadvantages of decentralization.

ANSWER

Advantages

1. Help to decongest the activities of govt.
2. Involve local people in grassroots development

Disadvantages

1. May encourage attachment to ethnic rather than national symbols

3.7 Other Related Concepts

Centralisation - The concentration of powers in the hands of the central government. Inability or unwillingness to delegate or decentralize power as a result of constitutional or institutional constraints or attitude of higher civil servants and political officials.

Local Government – The system of local authorities.

Local Authority – A system of government controlled by a local council which is authorized by the central government to pass ordinance having a local application, levy local taxes or exact labour and within limits specified by the government, vary centrally decided policy and applying it locally. Note that in a unitary system where local governments are created by acts of Parliament and not enshrined in the constitution, the term local authorities is often used to describe these units.

Local Self Government – Traditionally associated with local government is England, Wales and Germany and a principal feature of the English local

government system. Very crucial in the idea of the electoral basis of the system which shields it from becoming purely dependent organs of the state. It helps to guarantee its independent elected existence. The electoral feature mitigates its existence as mere local administration or just local organ of the central government. This shows that even though these are local authorities, they are safeguarded in their right to regulate under their own responsibility all the affairs of their local community within the limits of law.

Field Agency – Any sub-organization or Ministry, department, or administrative agency, operates in the Field that is outside headquarters.

Community Development – The process by which the efforts of the themselves are united with those of governmental authorities to improve the economic, social and cultural conditions of communities, to integrate these communities into the life of the nation and to enable them to contribute fully to national progress.

ACTIVITY 2

The following are 5 statements. Match the appropriate statement with the concept defined in the Unit.

1. Power exercised by local government is enhanced by electoral basis of the system.
2. The people and government interest are united for development purpose.
3. Tendency for more powers to be concentrated at the centre
4. The twin concept of deconcentration
5. Created by Act of Parliament

ANSWER

1. Local self government
2. Community Development
3. Centralization
4. Devolution
5. Local Authorities

4.0 CONCLUSION

This Unit has attempted to define some basic terms or concepts essential to the understanding of local government. Of special note have been decentralization and its twin concepts. From decentralization to community development, the idea has been that of control over resources (power) and power relations. In any polity, local government is at the lower rung and indeed the receiving end. It is therefore important to appreciate this power relations so as to understand the classification of local governments and you have to learn and differentiate this. One feature that stands out is that despite all these administrative and political power or decentralization, electoral power is very important because that will be the basis for relating to the community and it is also the basis for political accountability and other facets of accountability. As we saw in the local self government, it is the point at which central control and local administration is mitigated. This is therefore the major source of power and autonomy for local government.

SUMMARY

You have come across the following concepts in this Unit:

- decentralization
- devolution
- deconcentration
- centralization
- local government
- local authorities
- local self government
- field agency
- community development

All these concepts as you have seen have to do with power relationship. It is the amount of power enjoyed by local government of local organs that determines its classification.

Remember however that local governments that enjoy devolution are more likely to be viable and autonomous (i.e. enjoy more power and control over its resources) than those that are deconcentrated. Can you apply the above statement to Nigeria local governments since independence?

6.0 TUTOR MARKED ASSIGNMENT

- a) State and explain four characteristics of local government that enjoy devolution of powers.
- b) Explain the term deconcentration and how it relates to Field agencies

ANSWER

The answer should include the following:

a) Characteristics of devolution

- Constitutional guarantee of local governments
- Constitutional backing for statutory functions
- Exercise of power or control over policies, budget preparation, its revenue and staff
- Democratically elected and constituted council and accountability to the people

In Nigeria, all these are the characteristics that make local government a third tier.

b) Deconcentration has to do with transfer of powers to subordinate authorities whether offices, individuals or field units. Such transfer of power is done by central government for ease of administration. Sometimes this definition overlaps with field agencies or development areas or even development administration. In deconcentration, what is important is that some subordinate units of government such as local governments or authorities or field agencies of ministries or central governments have been saddled with some responsibility but they have limited control over approvals, over staff and over finances.

Local governments that are deconcentrated units, do not have power to employ their staff, cannot approve their budgets, cannot approve certain level of expenditure, may not be entrenched in the constitution. They end up being an arrangement of parliament for decongesting central government functions. In this case, they do not behave differently from field agencies which have very limited controls nor resources and virtually all major initiatives have to be referred to headquarters. Example of deconcentralisation can be found in Nigeria Local Government system during colonial rule especially between 1950-60 or during the first republic (1969-65), then, the regional governments were responsible for the employment of staff of local government their budget and certain limit of expenditures. In fact subordinate councils as in ward and village councils were just field agencies because of the severe lack of powers. A most classified example is the period between 1966 and 1975 when the system in Nigerian local government was that of development area offices; functioning with sole administrators and management committees.

7.0 FURTHER READINGS

H. Maddick, Democracy, Decentralisation and Development (Asia Pub. House Bombay, 1965) Ch. 1-3

M.P. Barber, Local Government (Third Edition) (Macdonald & Evans Ltd., 1975) Ch. 1

UNIT 3

THEORIES OF LOCAL GOVERNMENT

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(CONTENDING SCHOOL OF THOUGHT)

1.0 INTRODUCTION

In this Unit we are interested in knowing the main purpose of local government. There has been a debate between two schools of thought (or theories). This Unit addresses this debate and comes out with knowledge of those theories will broaden your basic understanding of local government.

2.0 OBJECTIVES

At the end of this unit, the student should be able to:

- Identify the two schools of thought on local government

- ii) Highlight three major points advanced by school
- iii) Explain the proposition put forward in the “comment” on these schools of thought
- iv) Apply both theories to the Nigerian situation based on findings from research

3.1 UNITILITY & FOCUS OF THEORIES

Theories deal with explanation. In this case it is about how to understand local government or what local governments are meant for. It is important to understand this so that we become clear in our minds what the institution really stands for and what its priority should be. People also form their attitude to the institution based on their knowledge of the institution and what it should be doing. Furthermore, it will enable us appreciate the problems of institution.

Some scholars argue that local governments exist essentially as democratic institutions and their job is to foster representative and participatory democracy at the local level. Other scholars feel local governments should focus more on service delivery for those tangible things communities required. The various arguments are presented below.

3.2 DEMOCRATIC – PARTICIPATION SCHOOL

The influence on this school has been largely the work of John Stuart Mills especially with his work on Utilitarianism, Liberty and Representative Government. In it, he claims that the good form of government is representative government because it promoted liberty, equity, and fraternity, made men look beyond their immediate interest and recognized the just demands of other men; promote political education, participation and communication. Furthermore, he asserts that local government is a prime element of democracy and demonstrates the intrinsic values of democracy irrespective of the services it provides. Government is truly representative when all types of people can take part. The local government level offers the closest thing to widespread consultation and participation.

British and American governments are based on the tenets of democracy and representative government and the local government level is a haven for such activities. Local governments in such entities and indeed other advanced western countries, function to bring about democracy and to provide opportunities for political participation to the citizenry as well as to educate and socialise them politically. Politics and indeed development is about making choices through informed opinion, conflict and conflict resolution and these should be the priorities of local government. According to Panter (1953) participation is vital to democracy since it is the community that

people appreciate and tolerate each other's views and learn the art of practical politics. Local governments have become the training grounds for political elites or higher level of government.

Studies have been carried out to buttress this position. For example Keith Lucas in an English study concluded that the number of British members of Parliament who had served on local government demonstrated the importance of local government as a recruiting ground for the British. Specifically, David Butler found out in the 1964 general elections that 53% of the labour members of parliament and 45% of the defeated members had been local government councilors. The figure is 29% and 40% respectively for the conservative party.

This point on parliamentarians benefiting from political apprenticeship at local government level is replete in these advanced democracies as confirmed by Mackenzie (1954) in his work titled "Local Government in Parliament".

A very important part of this democratic role is the opportunity it creates for political activity and social interaction. Such a forum helps to inculcate the ideals of democracy like, election or selection of local government committees and boards, public debates, pressure and interest group activities, and community mobilization. Local governments must continue to buttress democracy through these ideas.

3.3 EFFICIENCY SERVICES SCHOOL

The advocates of efficiency services believe that the idea of democracy advocated by Mills and Bricks above do not apply to different political system in the same manner especially in the face of modern realities.

The crux of their theory is that the main purpose of local government is to provide services to the local people. Foremost among the advocates is the French scholar Langoor (1953) who opined that democracy was the affairs of the nation-state as a whole issue of majority rule, equality and uniformity are the norm. Local self government by contrast was parochial and concerned with local differences and separation. The two are opposed and it was only a historical accident that they had developed together in the 19th century. He went on to say that it was equally false to see local government as a setting for political education and democracy. To him, the local arena has only succeeded in breeding few national leaders. Local politics is more likely to reinforce narrow sectional interests than an appreciation of democracy. The citizen is more likely to learn about democracy from national politics and national issues.

Arguing in the same vein, Moulin () points out that local government is so restricted while national goals are wider in scale. Local experience and knowledge is hardly appropriate to national affairs. Sharpe (1970) provided a very strong case for local governments on the grounds that it was the most efficient agent for providing those services that are essentially local. He suggested that the efficient performance of these services is so compelling that if local government does not exist, something else will have to be created in its place, meaning the institution is indispensable. Even a decentralized form of national government cannot play this role because of the level of coordination local government can forge cannot be undertaken by such an alternative. The main functional responsibility of local governments therefore is to efficiently carry out local duties allocated to it, at the highest efficiency rate.

ACTIVITY 1

List 3 key issues raised by the Democratic school in its argument:

1. Local Government is about the promotion of democracy
2. Political participation of citizen is important for quality decisions
3. Local government is a training ground for political elites who are interested in national politics.

3.4 COMMENTS

These two school of thought on local governments appear to be extremes of the role local governments should play. Most of the advocates of the democratic theory are from the societies with the strong tradition of democracy i.e. Britain and America. A lot of the efficiency school is championed by French scholars with background of strong unitary (centralizing) influences. (The role of the prefects in France before the 1982 reforms can attest to this).

These arguments look attractive. The point however is that one argument needs the other. Even some third world or developing countries have looked at democracy in local government as a luxury and an expensive venture. They say developing countries need money to carry out services, not paying allowances and entitlements of councilors in local government. At the same time representative government, which is a hallmark of democracy is not a luxury because various interests within the community have to be represented in government and their views articulated. Policies and programmes will have to be well debated before they are approved and implemented. Participation has to be mobilised.

These two theories therefore need each other. In developing societies people are in a hurry to develop but priorities must be set right and people's interest must be carried along. The question as Maddick puts it is, "the clash between efficiency and popular control". How much of democracy is needed to provide efficiently services at the local level. This is about "administration", Maddick sum up the cross-fertilisation between democracy and service delivery when he wrote.

The argument is that there is need in society for civic consciousness and political maturity if programs for both the locality and the state are going to be carried through adequately, with enthusiasm and in fact in some cases without outbreaks of violence. The spread of political maturity should bring with it through political participation responsive governments which translate needs into politics, which can harness local energies, because it is a popular government, and which is acceptable by periodically having to show results for activities.

ACTIVITY 2

This author adopts what looks like a middle of the road approach. What is the main argument? (In one sentence).

ANSWER

The author says both schools need each other as efficiency services cannot be equitably provided without representatives of the people articulating the needs of their communities and how government resources are to be allocated.

1.0 CONCLUSION

We would like to conclude by giving an example of what has happened on the Nigeria scene as regards the contending schools of thought since 1976.

In Nigeria, the military paid attention to local governments during their tenure. There was an attempt at one stage or the other to make the institution autonomous and therefore viable. It got to a stage where people started questioning the efficacy of party politics in turning local government around. In a study carried out in 1989/90, people started having more faith in the performance of local governments under military administration than those under civilians (70%). To make matter worse for the advocates of local government as a tool for democracy, (62%) of the people claimed that party politics was undesirable in local government because of its divisive nature.

To them it creates problems for communities which had lived peacefully before and breaks the peace of communities.

With the results from the military and the opinion of people, scholars and also workers in local government started questioning the unity of democratic leadership in local government with all its cost of maintenance and patronage system which endangers the lean resources of local government. To them the sole administrator or management committee systems were more effective for service delivery in local government and they saw no reasons why the democratic leadership should be imposed. Now that democratic leadership has been back since 1999, the same complaints about its inverse relationship with service delivery and institutional development plus all the patronage politics have surfaced. It therefore appears that democratic leadership in local government is a norm, a strong index of devolution and must not therefore be avoided despite public opinion. The panacea is to educate citizens to learn the virtue of this leadership (which on its own should have no alternative because of its inherent virtues) Democracy must be the vehicle through which resources should be fairly allocated, policies formulated and implemented in local governments and indeed higher government.

5.0. SUMMARY

You have been taken through two contending schools of thought on what the purpose of local governments should be. The democratic participatory school say local government is created to promote democracy and in so doing creating the right political culture at the local level, which in turn reinforce what is done at the national level. The efficiency services school emphasize that emphasizing democracy at the local level is unnecessary, duplicative and a luxury. Local resources cannot be channeled to such. It should be committed to efficiency delivery of services which is of primary importance to people at the grassroots.

We have however commented that rather than dispensing energies on the extremes of these theories, we should consider the way these theories need each other. That is to say efficiency services may be primary but the way these are decided allocated and implemented will require representation and participation for equity and fairness.

We have also found out that for a third world country like Nigeria that is in a hurry to develop, there is bound to be a questioning of the relevance of the democratic theory of local government.

7.0 TUTOR MARKED ASSIGNMENT

Maddick came up with a statement that captures the essence of the argument of both schools thus “the centre of the problem however is the clash between efficiency and popular control.”

- a) To what extent can we consider the two schools of thought a clash?
- b) To what extent can we blend these schools for a better conception and organization of local governments?

ANSWER

The answers should reflect the following:

- a) i State the position of each school
 - ii Identify the areas of the conflict or clash
- b) i State the advantages of democracy to local government
 - ii State the utility of service delivery by local government
 - iii Discuss how democracy should be seen as a means of effective service delivery in local government
 - iv Round up by telling us the danger in handing over local governments to non-accountable regime (i.e. non democratic leadership) all in the name of service delivery
 - v Re- emphasize however that democracy should be seen as a means to an end but that the primary objective of government should be service delivery.

7.0 FURTHER READING

W.J.M Mackenzie, Theories of Local Government (London, 1964) CH5.

D.M. Hill Democracy Theories and Local Government (Great Britain; Allen & Unwin, 1974) especially Pp 20-25

R.F. Ola Local Government in Nigeria (London; Keagan Paul International, 1984) Ch. 1

A. Odoh Local Government party Policies and Political Regimes” – Paper presented at Conference on Administration and People in Rural Areas Since Independence, Bordeaux, France, 1990.

UNIT 4

LOCAL GOVERNMENT AND INTER-GOVERNMENTAL RELATIONS

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3.5	Justification for Control of Local Government
3.6	The Ministry of Local Government
3.6.1	Role of the Ministry
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1.0 INTRODUCTION

You have been introduced to the concept of decentralization. What you are about to learn here is how the power decentralized to local government is controlled by higher government.

Local Government is a tier of government. In a Unitary system, it is the second tier while in a Federal system, it is the third tier. In both arrangements, we talk of central local relationship. In unitary system this will mean relationship between central government and the local government while in a Federal system, this is largely the relationship between state/regional government and local government.

Such a relationship is basically a power relationship since it deals with the spheres of functional control or competence of each level of government and what happens where these levels of government interact as such functions are performed.

It must be established right away that in a federal arrangement, functions are shared between the federal and state governments. The federal functions are constitutionally labeled as the Executive List while the State and the Federal government share the Concurrent List. In such arrangement, local governments residual functions assigned by the State government and determined by the constitution. (In some federalism however, these functions are listed as the residual list in the constitution. See for example Schedule 4 of the 1979 and 1999 Constitution of Nigeria)

Very important in intergovernmental relations is not just the constitutional functions but the constitutional powers to perform their functions. In local governments, such power are manifest as local government related with the central government, in the area of politics, law, administration, personnel, finance, budgeting and functions. These are the areas that interests discussion under intergovernmental relations as will be seen below.

2.0 OBJECTIVES

At the end of this unit, you should be able to do the following

- Define Intergovernmental relations
- Identify the models of intergovernmental relations
- Explain why intergovernmental relations is not as negative to local government in advanced countries as is in development countries
- Examine the role of the Ministry for Local Government in the control of local government.

3.1 MEANING OF INTERGOVERNMENTAL RELATIONS

The concept of intergovernmental relations is defined by Adamolekun (1982) as follows:

... the interactions that take place among the different levels of government within a state. Usually the concept is associated with States having a Federal administration system where the relationships between the Federal, central or national government and the major subnational units (province, region or state) are formally spelt out in the Constitution. In particular, the jurisdictional powers of each level of government are spelt out in the constitution and any re-

arrangement must be through a constitutional amendment involving both levels of government. Although the emphasis is the analysis of intergovernmental relations (IGR) is on Federal-State relations, the full picture also includes how level related to local government units established within each state. The result then is that a full analyses of IGR within a Federal administration system must cover the following; Federal-State, Federal-State-Local, Federal-Local, Inter-State, State-Local, and Inter-Local relationships.

We also want to add that in a unitary system, it is possible to talk similarly e.g. central-local central, etc.

The term simply means the relationship between levels of government, how each level relates to or interacts with other.

It should however be pointed out that is it not these offices or structures themselves that matter in IGR but the human beings that operate it i.e. human relations and human behaviour (See Anderson, 1960).

ACTIVITY 1

1. What is Exclusive and Concurrent List? What is a Residual list?
2. Refer to the Second Schedule of the Nigeria Constitution of 1999 and familiarize yourself with the Exclusive and Concurrent Functions (especially the list of functions)

ANSWER

1. Exclusive list spells out the area of jurisdiction of which the Federal government can legislate on. It is only reserved for the ~~federal~~ federal government and that is why it is exclusive.
2. Concurrent list consists of those items on which both the Federal government and the state government can legislate on. However, where state and federal clash on those items, that of the Federal shall prevail.
3. Residual list consist of those items that are not mentioned in either the exclusive and concurrent list. The state government can have complete control over such.

By extension residual power can be extended to local governments too, in addition to the functions mentioned in the Fourth Schedule.

3.2 OBJECTIVES OF IGR

The key objectives of IGR are as follows:

1. To promote peace and harmony among the three levels of government
2. To enhance the emergence of cooperation rather than competitive Federalism
3. To ensure effective and efficient utilization of available human and material resources among the various levels of government;
4. To accelerate the achievement of self reliant economy;
5. To minimize inter-jurisdictional conflicts among the various levels of government;
6. To solve the problem of rural and urban poverty, ignorance and suffering of the people and
7. To foster greater national integration through the activities of the three levels of government.

These objectives address largely political, administrative and developmental issues. The main objective is to minimize areas of conflict as these government carry out their functions or exercise powers and channel resources to issues of socio-economic development.

3.3 FEATURES OF THE RELATIOSHIP

As pointed out, IGR is the interaction between Federal, State and Local governments. In a Federal system, the relationship actually emphasizes the Federal and State. Local governments are under state government. Because of the peculiarities of Nigerian administration and constitutional development, local government have come to play a role, so this relationship is formalized between State and Local and between Federal and local.

The model of relationship is however as follows:

- a) Federal.....State
- b) State.....State
- c) Federal.....Local
- d) State.....local
- e) Federal.....State.....Local
- f) Local.....Local

An analysis of this relationship shows that is can be vertical as in Federal-State or horizontal as in State-State or Local-Local. It can also flow directly from the Federal to Local government which is a predominant type under military administration especially in the area of decrees, direct circulars, administrative reforms and financial matters.

In Nigeria, the horizontal relationship among state governments and among local governments is not as strong as the vertical relationships while that of state-state has been more functional than that of Local-Local.

Interactions between levels of government have a great deal to do with the attitudes and behaviour of the functionaries at each levels. Usually, in IGR, two types of relationship can be distinguished, namely, superior-subordinate and bargaining and negotiating relationship. The state government tends to feel superior while local officials assume the subordinate officials. Such a relationship is more pronounced in developing countries while the negotiating/bargaining type in countries with rich democratic traditions. This is a case of control and autonomy. Where the control or interference of the central government is high in local administration, the outcome is superior subordinate type. On the other hand, the situation of partnership describes more of autonomy for local administration. On paper, the higher the level of devolution for local governments the less state interference and the more the autonomy. We should however note that devolution sometimes can be on paper while the actual practice can degenerate into deconcentration. An example of this is the Nigeria local government system which is constitutionally regarded as third tier and supported by various reforms meant for institution building, but in practice, these local governments are very vulnerable to state control and interference. It has become more like a master-servant relationship and also dependent in structure.

In this regard, Oladosun (1983) concluded about this relationship in Nigeria when he writes

Instead of seeing local government as a political institution for “home rule” or for “democratic participation” in the processes of governance at the grassroots, it is seen and employed by the state government as “an instrument with which to achieve its purposes at the local level and as alternative machinery for the provision of socio-economic services.

We have already pointed out that the real; determinant of state-local relationship is to be found in the attitude of the central (state) government as manifested in various policy circulars (legislative, administrative, judicial and financial as well as in the behaviour of its field staff towards local government generally. Commenting further on this relationship, Oladosu (1983) observed that.

Genuine decentralization of governmental powers (i.e. democratic decentralization as opposed to bureaucratic decentralization), is indeed more an act of political faith than (one of) administrative theory. It is the absence

of this faith in local organs (on part of the functionaries at the ~~state~~ government level) that makes all our efforts at decentralization half-hearted. It appears there is a basic deep-rooted mistrust of local organs. Our policy makers seem to be apprehensive of the possibility of power passing to the wrong hands at the local level and as a result of which localism may run riot. To guide against this dangerous state of affairs, state governments always, as a rule, have a few of their administrative officers posted to the ~~local~~ government areas as their watch-dog, serving as the eyes and ears of the states.

ACTIVITY 2

QUESTION

Represent the models of inter-governmental relations in a diagrammatic form. Which of these relationships are horizontal? What do you think are the benefit to be derived from horizontal relationship?

ANSWER

There are 7 forms of relationship:

- (See Page for the diagram
- Horizontal relationship brings together governments at the same level i.e. state-state and local-local. When these levels of government come together, the benefits could be listed as follows;
- behave like a group and therefore stronger in their bargain with superior government (especially state-Federal)
- Post resources together to purpose development objective e.g economies of scale and better harnessing of resources
- where a group of local governments cooperated or relate, they could do so far the purpose of dealing with problems that are common or cut across boundaries e.g. common services, erosion, etc
- In Nigeria, there is an Association of Local Government of Nigeria which has been its intention to get more concession from the federal government. So also is the Nigerian Union of Local Government Employees which fights for the interest of local government in the National Assembly. In Nigeria, states have also come together to fight the issue of resource control. (Please think of more examples)

3.4 COMPARATIVE EXPERINCE

It is worthy of note that while most African countries exhibit the master-servant relationship, the picture varies in some of the 'settled' democracies of the world.

3.4.1 France

The French system has been highly centralized before 1982, during which the system of Preferences made it possible for the Prefect (who is a general government official) to assume the role of chief executive of the local government. Part of his excesses then extended to powers to alter local government budgets, appoint officials and even to suspend elected councils officials. This is a typical case of the superior subordinate relations. From 1982 however, the Reform of Local Government checked the excesses of the Prefect and the Department and Communes because really subject to their elected executive council.

3.4.3 Britain

In England, local authorities are given full discretion to exercise the function allocated to them. This does not mean they are completely self governing. They are established by and subject to government. 'They cannot therefore be regarded as second tier in a system of unitary government nor third tier in a Federalism'. The sole reason is that their powers are derived from the government that set them up and not from the constitution. Government allows these authorities to discharge their functions without interference as long as they do so efficiently and justly. Interference therefore becomes a resort only when local government becomes inefficient or resort to illegality.

Note that in the British system most controls comes through inspections, approvals, returns, audit and grants (Punnet 1971).

3.4.4 United State

With a strong democratic tradition like Britain, local government or local-self government is allowed greater autonomy. Local governments are governed by the state laws, not national laws. State governments have direct control over the counties which operate as agencies of the state to enforce state laws. But local governments, because of their democratic tradition are respected by the State which hardly interfere. Sometimes local governments act like big governments in the services they deliver. They are also the pillars of American democracy. Because of their successes, an author observed:

"The majority of Americans no longer support the continued extension of Federal services... more and more, they are turning away

from the central government to their local and state governments to deal with their local/state problems.

And that is why the Federal and State governments implement some of their programmes by deploying resources, while local governments are still creatures of the centre, the democratic tradition and indeed the competence of local governments have not opened them so much to the high level interference recorded in a lot of developing polities.

3.5 JUSTIFICATION FOR CONTROL OF LOCAL GOVERNMENT

The state (central) control of local government is usually justified on the following grounds (Barber, 1972)

- a) The modern functions of the state have so much increased from social welfare to the promotion of economic prosperity that a central discretion is necessary.
- b) Increasing technicality of present day functions of the state structurally, they are inadequate and are plague by resources disparities so that they cannot maintain common standards in the provision of services.
- c) Local government the world over are increasingly dependent financially or state/central grants and or financial statutory allocation while their own internal sources of revenue are inelastic and inadequate to meet the pressing demands for services.
- d) The State/Central government has at its disposal, greater resources – financial, technical, administrative and professional.
- e) The desirability of common standards or uniformity in the provision of services cannot be achieved without central direction.
- f) Lastly, the need to subordinate sectional or narrow interests to those of a wider public makes state/central control an imperative.

All these boil down to the question of autonomy i.e. how much power should local government enjoys over its resources or how much liberty should be given to local governments. This is at the centre of IGR. The trends is that in some systems, local governments enjoys more autonomy than others for example, the autonomy of governments in a Federal system like the United States is higher than that of a Unitary system like France. In developing countries Federal system like Nigeria also boasts of a higher level of autonomy than a unitary system like Tanzania. Normally the more deconcentrated the system of local government the less autonomy enjoys by local governments.

3.6 THE MINISTRY OF LOCAL GOVERNMENT

The central government controls local government through a Ministry of Local Government. There are those who argue that local government affairs be vested in a ministry concerned with other usually technical matters like health, agriculture, education etc. Such arrangement will only succeed in turning local governments into agencies under each of those ministries.

Yet some other countries may want to vest permanent responsibility for running the local government system in the office of the President, Prime Minister or Governor. This might be prestigious but the arrangement suffers from volume and variety of business.

Most countries prefer a separate Ministry for Local Government (or as it is located in Britain, Ministry of Environment) to coordinate and control the activities of local government.

3.6.1 Role of the Ministry

The role of the Ministry of local Government is captured by Maddick (1963) as follows.

...to ensure that local authorities are stimulated and encouraged to exercise the power given to them, and to correct the tendency of each technical ministry to treat a local authority as its particular agent alone; to secure for the system a reasonable share of resources of staff; revenue and capital; to ensure that there is a basic unity of approach to local government problems in the country as a whole (although this will require detailed variation of particular areas) and also to ensure that there is a fair chance of every developing at a reasonable speed; to know the strength and weakness of individual local authorities and thus to be able to recommend or reject proposals for the extension of functions; and finally, to apply sanctions where local authorities are clearly not discharging their functions, or discharging them in a way which is harmful to society.

3.6.2 Specific ways the Ministry can assist the Local Government system

The ways in which a Ministry of Local Government can specifically aid the local government system are as follows:

- a) Stimulate and encourage local authority individual or collectively to improve their services.
- b) Secure the cooperation of other ministries in the task.
- c) Provide technical, professional, administrative legal and financial advice.
- d) Establish a local government system and train staff

- e) Train councilors – possibly indirect through non-governmental agencies such as local government associations.
- f) Secure as appropriate share of taxing powers and grants for local governments.
- g) Make available loans for local authorities for public works.
- h) Provide expensive equipment or the bulk purchase of stores, if these are not forthcoming from ministries.
- i) Carry out inspection, audit and general supervision of local authorities.

The problem with the Ministry for local government in carrying out the assistance above (especially in developing countries) is that it encroaches into the area of autonomy of local governments and therefore turns out to control rather than coordinate and support these governments. This is the idea behind the master-servant relationship which is always a criticism of intergovernmental relationship.

4.0 CONCLUSION

We have seen in this unit that intergovernmental relations is a necessary fall-out of interactions among various tiers of government. Such relations could be vertical or horizontal, the former being the more pronounced. Tier government as it relates to administrative matters, politics, finance, social and economic matters.

The relationship of these tiers with local government is largely supposed to be that of assistance. In advanced countries this has been positive but in developing countries, this has degenerated into that of exercise of control or master-servant relationship especially with the instrumentation of the Ministry of Local Government.

Reforms need to be carried out to address such issues, if local government should enjoy some autonomy and become a viable and development-oriented institution. Such reforms have taken place in Nigeria, but not many changes have resulted from it.

5.0 SUMMARY

Having gone through this unit, we can summarize the key issues in intergovernmental relations as follows:

- IGR is interaction that takes place among the different levels of government.
- It is a key issue in the functional and constitutional relationship among these tiers of government.

- These relationship is both vertical and horizontal with greater emphasis on the vertical.
- Intergovernmental relationship is to emphasize positive relations among tiers of government and minimize areas of conflict.
- State/Centre governments need to control local government services have become more complex and technical, standards need to be maintained and monies are increasingly flowing from higher government to local governments.
- The level of control in advanced setting especially in contemporary times is normally subject to the democratic structures of local government and their financial viability.
- Control is most effective in developing countries where the culture of autonomy has not been allowed to freely germinate as in the advanced countries.
- The Ministry for Local Government is vested with the control of local government in a positive manner, but practically, these intentions become perverse as a result of politics or political control by higher government.

6.0 TUTOR MARKED ASSIGNMENT

QUESTION

Why is the Ministry for Local Government important in Local government affairs?

ANSWER

Should mention the following area:

- Justification for central control of local government
- Ministry as the main agency through which this control takes place
- Note Maddick assessment of the role of the Ministry on page 6 of this unit.
- Note the specific ways the ministry can assist local governments
- Highlight the implication of this control for autonomy and viability of local governments. (It takes us back to the argument of the master-servant relationship between the central/state and local government.

7.0 FURTHER READINGS

G. Jones (ed). New Approach to the Study of Central-Local Government Relationships (Gower Pub. Co. Ltd., 1980)

M. P. Barber, Public Administration (Macdonald and Evans Ltd., 1972).

E. A. Oyeyipo & A. Odoh (eds) Local Government as Vehicle for National Development (Pub. By Department of Local Government Studies A. B.U. Zaria 1984) Read especially the six articles in Section A.

UNIT 5

STRUCTURE OF LOCAL GOVERNMENT

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7.0	Further Readings

1.0 INTRODUCTION

Now that you have understood the basic concepts underlying local government and what local governments stand for, let us go on to look at the structure of local government. Understanding the structure of local government will provide the basis on how these institutions operate. In this unit, two types of structures are presented viz; political and administrative. You will also go on to see the relationship between the political and administrative structures. A diagram of these structures and their relationships is also presented. An understanding of this unit will facilitate the subsequent units (7-12) which looks at structures of local government in different countries.

2.0 OBJECTIVES

At the end of this unit, you should be able to do the following;

- a) Differentiate between single and multi-tier structure of local government
- b) Differentiate between political and administrative structures of local government
- c) Describe the composition of the political structure in a few countries

- d) Describe how the administrative structure relates to the political structure
- e) Present the political and administrative structure in a diagram

3.1 TYPES OF STRUCTURES

Every organization or institution has a structure. By structure we mean the components of an organization that perform certain functions geared towards the achievements of organizational goals. In administration, these components or structures are hierarchically organized. This therefore entails that the structures offer positions that are stratified i.e. a superior subordinate relationship. In local government just like in other governments, the administrative structure is patterned along these lines.

Local government also has a political structure. All elected officials fall into this structure and it is principally made up of the legislature and the executive.

In the local government there are also Committee structures set up to look at issues and take decisions on behalf of the government – a lot of such decisions are subject to ratification by the council or the superior body as the case may be.

The structure of local government can also refer to the status of local government i.e. whether it is all or multi-purpose or single tier local government or a multi-tier local government with layers of local authorities below the local government structure.

ACTIVITY 1

State three levels at which we can look at the structure of local governments.

ANSWER

1. The system of political government – whether single or multi-tier
2. Political structure
3. Administrative structure

3.1.1 Tiers of Local Government

There are two types of structure related to the status of local governments. First is a single-tier (multi-purpose) structure in which only one authority is recognized by law at the local level. Any other arrangement under local government is a matter of administrative convenience. A good example of

this is the Nigeria local government system which is described as single tier. Only this level of authority is recognized by the 1979 and 1999 constitution. Districts, villages, wards and even area development authorities are just for administrative purpose and thus varies from state to state.

The multi-tier system is one where the authorities under the local government like Districts, Counties, Borough, Special districts, Home Rule etc. are recognized by the Law and related with appropriately by the central/state governments. However, in some countries like Britain, the Lower authorities are not responsible as such to the higher authorities i.e. within its own sphere it enjoys a functional independence, meaning that it is responsible for the administration of a group of services or parts of services. In France on the other hand, the level of decentralization makes the communes subordinate to the Department in certain cases. So also are the sub-districts to the Districts in India.

ACTIVITY 2

Would you think there are unique advantages to be enjoyed operating a single tier system as against a multi-tier structure of local government?

(state 2 of these)

1. Units may be longer and more viable
2. Administration is not complicated e.g.: Coordination is at the level of field officers or extension worker only.

3.1.2 Political Structure

Local governments are variously politically structured and constituted. This is also a fall out of the system of leadership in local governments. (This point on leadership will be discussed in a later unit). As pointed out earlier, the political structure is responsible for policy making, law making and even policy implementation at the local level. The major organs of the political structure are the Executive, the Legislature and Committee. These Committees can be standing Committees (statutory) or House or Executive Committees set up to study issues and report to the parent body. The legislature is made up of councilors and in some cases Alderman. The Executive could be made up of supervisory councilors or superiors together with the Chairman.

The political structure varies from country to country depending sometimes on the system of leadership. Some systems advocate a strong chairman while others a weak one. Some may have a large number of councilors, other small.

The executive may also follow the same pattern.

In the US, the political structure addressed four types of leadership, namely the strong mayor, the weak mayor, the commission system and the council or city manager system. Structure can also refer to the minimum population spelt out for the creation of local governments. In Nigeria, the 1976 Reform spells out a population of 150,000 - 800,000. This is done in such a way as to respect the issue of viability. On this basis, 301 local governments were created. In multi-tier system, the population of the smaller units are bound to be much less.

3.1.3 Administrative Structure

The administrative structure of local government is hierarchical as in any other government. At the head is a Secretary to the Local Government (what in France is referred to as the Prefect). In some local government system, (e.g. Nigeria) the Secretary is the Chief Executive but through reforms he had come to be answerable to the Chairman. He is the head of Administration. Under the Secretary are Departments which are headed by Heads of Departments. The Departments in local governments are created in such a way that they perform a group of functions. Normally such departments are those of Finance, Personnel (Administration), Agriculture, Education, Health Works, Social Welfare and Community Development etc. The number of departments a local government should have would depend on the complexity of the local government (e.g. urban –rural) or the Laws setting up local governments.

Sometimes these Departments are classified as service and operational departments. The service departments are normally those that deal with staff and finance both of which support service delivery. The operational departments deliver the services on the field.

Each department is organized in such a way that there are sections and units or divisions and branches which deal with particular services that add up to the entire services of the department. The operational departments also have their structure right into the community where they deliver these services. These are called field or extension workers and they could be of a technical, professional and administrative nature.

The sections and units are answerable to the heads of department while the local government secretary coordinated the activities of the heads of departments. The Secretary in turn is largely responsible to the chairman in some system, the state expects the Secretary to be the watching dog for effective administrative practice at the local government level.

3.2 RELATIONSHIPS BETWEEN THE POLITICAL STRUCTURE & ADMINISTRATION STRUCTURE

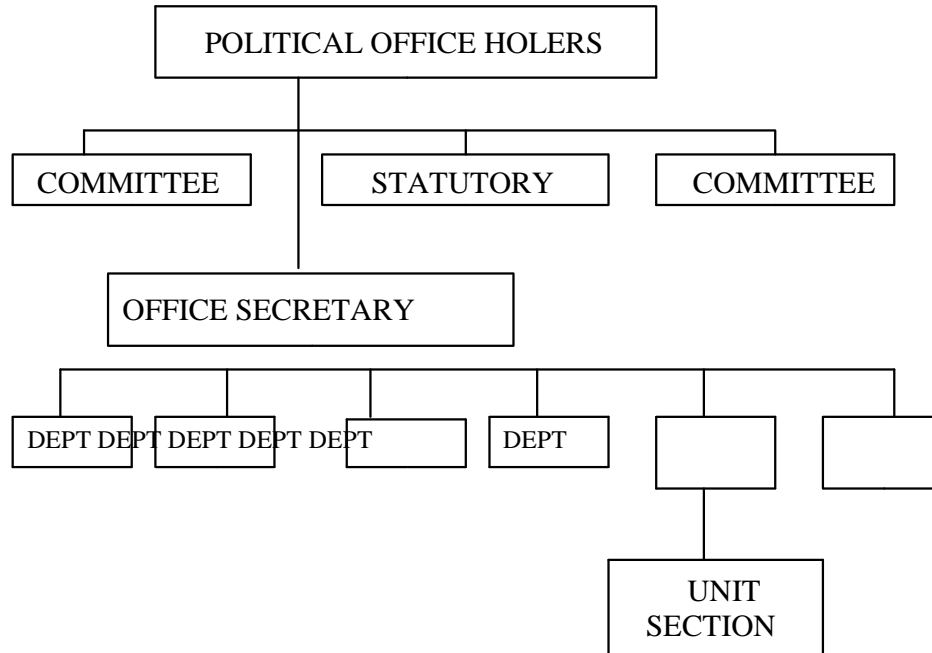
As shown earlier in Unit 3 (i.e. theories of local government) local authorities are about democracy and service delivery. The political structure in local governments represents the democratic concern of local government while the bureaucracy or the administrative structure represents the instrument for effective services. The problem with local government is how the political structure can use the administrative structure for providing efficient service.

The political structure makes laws and policies for local government including approval of local governments estimates and budgets. The chairman works closely with his Secretary and Heads of departments to implement policies agreed at the Executive and Legislative Councils. To forge a close link between the political and administrative structure, political heads are attached to each department. These are called Supervisory Coucillors or Supervisors (depending on the system of government). These supervisors control the activities of heads of departments. Policies agreed upon in the Executive Council are implemented by the supervisors through their heads of departments. These Heads also channel the needs and activities of their Department to the Council through their supervisors. The supervisors are therefore the eyes of the chairman at the level of the department.

In the same way, the Secretary is the chief adviser to the chairman on local government administration. Such advises are on administrative procedure, planning, financial management, staffing and intergovernmental relations. The chairman may be eager to ensure the implementation of his programmes but the Secretary is there to make him that this is done through governmental procedure.

In all these there is bound to be friction between the political office holders and the key administrative functionaries (i.e. career officials) The challenge of administration at the local government level is how to forge more of cordial relationship between the political and administrative group as they perform their roles.

A typical structure of local government looks like this



ACTIVITY 3

What is the composition of local government political structures and that of the Administrative Structures.

ANSWER

POLITICAL STRUCTURE

- Chairman of Mayor - Secretary
- Councillors
- Supervisory Councillors/Supervisors
- Local Notables – (aldermen) in some countries)
- Communities

ADMINISTRATIVE

- Head of Departments
- Head of Sections and Unit

4.0 CONCLUSION

You can now agree that understanding the structure of local government is the basis for understanding the composition and roles and even relationships of actors within this structure. The political structure is supposed to use administrative structure for translating political promises into services. How well this takes place depends on the type of relationship between the political and career staff of local government. Sometimes this relationship is cordial, other times the relationship is strained and conflictual especially as a result of personality clash, and interpretation of guidelines. Other times, the political office holders are impatient with the regulations governing administrative practices especially financial management. Such crises slow down the operation of local government and this had become a big source of worry in local governments in developing countries. This is where qualities of good leadership is called into question. It may not be structures that creates the problem but the people that manage it.

You will read more about the people that manage these structures in a later unit.

5.0 SUMMARY

In this Unit, you have learnt about the following

1. That structures are classified based on the status or system of local government – single tier or multi-tier
2. Political structures contain the legislature and executive organs of local government
3. Administrative structures deal with the office of the Secretary and the departments, section and units within the local government.
4. The political structure uses the administrative structure policies into services and in so doing, actors in both structures must work towards a relationship.

6.0 TUTOR MARKED ASSIGNMENT

How do the political and administrative structures relate in the field of the local government

ANSWER

Your answer should include the following

1. Define political structure – Consists of the executive and legislative councils of local government charged with law making and policy formulation and implementation.
2. Define Administrative structure – Consists of the Secretary to the local government and the administrative heads of local governments (as the main actors.) Other career staff of local government also form part of this bureaucracy. The bureaucracy is charged with the implementation of the day to day decision of local government.

Relationship

- a) At the political level, the chairman works closely with the councilors and supervisory councilors to ensure good legislation and policies for local government.
- b) Chairman works with the Secretary to implement policies through the Heads of Department.
- c) Chairman works through supervisory councilors as political heads of department. They in turn explain the policies of the administration to these of department and ensure that heads of departments implement this.
- d) Heads of departments make submission through the supervisory councilors to the council.
- e) Secretary coordinate the activities of the administrative structure and reports to the chairman from time to time.
- f) The Finance and General Purpose Committee can serve as a forum where some heads of department can be invited to meet with key members of the council.

7.0 FURTHER READINGS & REFERENCES

M.P Barber, Local Government (London: Macdonald & Evans Ltd., 1974)
Ch. 3

J.H Price Comparative Local Government (London: Hutchinson & Co. Ltd.,
1975) Pp 160-185

UNIT 6

FUNCTIONS OF LOCAL GOVERNEMENT

TABLE OF CONTENT	
1.0	Introduction
2.0	Objectives
3.1	Principles
3.2	Comparative Perspective
3.3	The Nigeria Example
4.0	Conclusion
5.0	Summary
6.0	Tutor Marked Assignment
7.0	Further Readings

1.0 INTRODUCTION

By now, you are supposed to be familiar with the concept and role of local government. Whatever way you look at local government, it is the functions they perform and how much of it they perform efficiently at a given point in time that matters. In this unit, you will be taken through what these functions are, how these functions are allocated and comparative experiences as to the classification and nature of these functions in a few advanced and developing countries. The function of Nigerian local government is also presented in full. Some of the problems associated with these functions are briefly highlighted.

2.0 OBJECTIVES

At the end of this Unit, you should be able to

- Identify three principles governing the assigning of functional responsibilities to local government;
- Differentiate between the various classification of functions in three countries;

- List the various functions of local government in Nigeria under two classifications.

3.1 PRINCIPLES

There are certain principles to consider while allocating functions to local government

- The nature of such local government – urban or rural. The functions of rural local government are more mundane and simple than urban ones.
- Viability of the local government. The question here is whether the local government has the capacity (human and material and financial resources) to discharge these functions.
- The local government will be subjected to the standards required by the central government especially in efficiently services and planning. In general, the functions which local governments should perform are these;
 1. which require detailed local knowledge for efficient performance;
 2. in which success depends on community responsiveness with participation;
 3. which are of personal nature requiring provision close to where the individual affected live;
 4. in which significant use of discretion or understanding of individuals is needed.

3.2 COMPARATIVE PERSPECTIVE

Local government at the lowest tier of government performs primary functions. This is deliberate since the central governments control more funds and has better competence and expertise to handle more secondary gigantic programmes. However, city governments, borough and urban or municipal councils take up greater and more sophisticated functions than rural councils

Most constitution or Acts, established functional areas that local governments can engage in. In such an exercise, some functions are concurrent between the local government and the state or regional governments while others are exclusive to local governments.

The Nigerian constitution makes this distinction. While exclusive functions include planning, revenue generating related functions, welfare like services like cemeteries, roads, street lighting, the concurrent ones include agriculture, health, education (especially primary education) and many other functions

prescribed from time to time by the State House of Assembly. (Constitution 1999 – Schedule IV)

In Britain, local authorities perform three broad functions: environmental, protective and personal.

Environmental functions concerns the citizens immediately physical surrounding – road construction, provision and maintenance of street lighting, water supplies, recreation grounds, street cleaning and refuse disposal.

Protective functions are those that deal with safety of citizens i.e, police and fire services. Personal services – deal with individual well being such as housing, education, libraries and museum, schools and health services. It should be noted that in Britain today, the most significant complex and cumbersome function of local authorities is Housing. However, not all local governments can perform these functions. In Rural Districts, Parish Councils have limited control in matters of local interest such as allotments, burial grounds, lighting, and provision and amenities, such as recreation grounds, bus shelters and Parish halls.

Local authorities can in addition acquire further power through delegated legislation or bye-law. They also have general powers to acquire land by agreement by means of purchase, lease or exchange.

In the United State, special districts are created to carry on specific functions or projects. The most numerous of such is the school with its main functions as management of the public school system.

Other functions performed by local government in the US are police and fire protection, public works, libraries and recreation, public utilities, city planning, public health, airports, harbour and housing. These are indeed gigantic functions which municipal especially city governments can take on.

In India, the functions of the Panchayati Raj (i.e. local government) Perform follow a similar pattern like the above except for police and the gigantic function of harbours and airports. Functions here are similar to the Nigerian situation. Briefly the functions can also be classified as obligatory and discretionary. Such functions include agricultural programmes, animal husbandry, buildings and communications, education administration, fishery, forestry, small scale industries, irrigation, medical services, etc

The Urban councils could perform obligatory functions like conservation, street lighting drainage and construction and maintenance of roads. Larger

ones could also engage in water supply, street cleaning refuse and disposal, fire service and primary schools.

ACTIVITY 1

Urban local government perform more complex functions than rural ones. Please list 5 of such function.

ANSWER

- a) Water supplies
- b) Police services
- c) Fire services
- d) Libraries and museums
- e) Airports

3.3 THE NIGERIAN EXAMPLE

To celebrate on this functional responsibility of local government a run down of the functions of local government in Nigeria is done below as contained in the 1999 constitution (fourth Schedule)

FUNCTIONS OF A LOCAL GOVERNMENT COUNCIL

- Main functions of a local government councils are as follows:-

- a) the consideration and the making of recommendations to a state commission on economic planning or any similar body on - the economic development of the state, particularly in so far as the area of authority of the council and of the state are affected, and proposals made by the said commission or body;
- b) collection of rate, radio and television licenses;
- c) establishment and maintenance of cemeteries, burial grounds and homes for the destitute or infirm;
- d) licensing of bicycle, trucks (other than mechanically propelled trucks) canoe, wheel barrow and carts;
- e) establishment, maintenance and regulation of slaughter houses, slaughter slabs markets, motor parks and public conveniences;
- f) construction and maintenance of roads, street, street lightings, drains and other public highways, parks, gardens, open spaces, or such

public facilities as may be prescribed from time to time by the House of Assembly of a State.

- g) naming of road and street and numbering of houses;
- h) provision and maintenance of public conveniences, sewage and refuse disposal;
- i) registration of all births, deaths and marriages;
- j) assessment of privately-owned houses or tenements for the purpose of levying such rates as may be prescribed by the House of Assembly of a State; and
- k) control and regulation of-

- a) out- door advertising and hoarding
- b) movement and keeping of pets of all description,
- c) shops and kiosks,
- d) restaurants, bakeries and other places for sale of food to the public,
- e) laundries, and
- f) licensing regulation and control of the sale of liquor,

b) The functions of a local government council shall include participation of such councils in the Government of a State in respects of the following matters-

- the provision and maintenance of primary – adult and vocational education;
- the development of agriculture and natural resources, other than minerals resources
- the provision and maintenance of the health services, and
- such other functions as may be conferred on a local government council by the House of Assembly of the State.

ACTIVITY 2

List 5 mandatory and 3 concurrent functions of local government in Nigeria.

ANSWER

Please check the list under 3.3

4.0 CONCLUSION

Local Government can be seen to be saddled with a lot of functions from the trivial to the gigantic. The problem in performing these functions is with the resources available to do this. Such resources may include financial and

manpower. In the advanced countries, these worries are not as acute as developing countries. Most developing countries depend on grant from the central governments to run these function. To reduce such problem funding, a lot of functions especially the exclusive or mandatory functions have revenue attached to them, In lot cases these functions can be referred to as extractive functions because in performing them, local government is indirectly raising revenue for it services.

In Nigeria, the experience has been that the tax base of the rural community is very low and therefore local government experiences great difficulty in performing this function. At times it neglects such extractive functions and wait for grants to carry out the other functions. The implication had been low viability, and low level of autonomy since these units are largely dependent on statutory allocation to function. This issue is raised again in subsequent unit under local government finance and Problems of Local Government.

5.0 SUMMARY

You have come across different types of functions local government perform. On the one hand, they have been classified as exclusive (mandatory) and concurrent. The India to classification of Obligation and discretionary is similar to the Nigeria classification above.

In Britain, the classification is on the bases of environmental, protective and personal. The US classification is close to this. Some of these functions irrespective of countries are mundane while others are complex (e.g harbour, airports etc.)

Performance of functions require lots of money. In developing countries, functions that ought to generate funds for local government are not as attractive as the advanced countries because of the low taxable capacity of individuals, communities and their economies. However, the best way to judge a local government is through its functional performance.

6.0 TUTOR MARKED ASSIGNMENT

What do you understand by Executive (mandatory) and concurrent functions of local government (in Nigeria) and why are they so classified?

ANSWER

Your answer should include the following:

1. Differentiate between exclusive and concurrent exclusive
 - Function for which local government has obligations.

They are mandatory, i.e. whether the local governments like it or not they perform them. The state or federal governments need to come to their rescue. They are ladden with revenue sources to facilitate their performance.

Concurrent – These functions are social in nature. They require capital base.

The three tiers of government should be involved. Moneys in form of grants to local governments are needed to support and facilitate the performance as these functions. Even human and technical expertise are sometimes devolved.

As social functions, they are largely welfare services and these services are heavily subsidized.

2. Give examples of these services
3. Refer to the appropriate sections of the constitution

7.0 FURTHER READINGS

M.P. Barber, Local Government (London Macdonald & Evans Ltd., 1974)
Ch.3

J. H. Price, Comparative Local Government (London: Hutchinson & Co. Ltd., 1975) Pp 160-185

Federal Government Press, Constitution of the Federal Republic of Nigeria, 1999)

Federal Government Press, Guidelines for Local Government Reform, 1976)

UNIT 7

STRUCTURE & RESPONSIBILITIES OF LOCAL AUTHORITIES IN BRITAIN

TABLE OF CONTENT

1.0	Introduction
2.0	Objective
3.1	The State of local Authorities in Britain
3.2	Units of local Government
3.3	Democr atic Structure and Administration
4.0	Conclusion
5.0	Summar y
6.0	Tutor Marked Assignment
7.0	Further Readings

1.0 INTRODUCTION

In Unit 4, you were introduced broadly to the structure of local government. In the series that follow we narrow down our focus to specific countries. For this Unit, the United Kingdom (particular England and Wales is examined). The major units of local government are identified, so also are their relationships. A diagram representing these structures is also presented.

2.0 OBJECTIVES

At the end of this unit, students should be able to do the following

- Identify the key units of local governments in Britain
- Describe their functions
- Describe their relationships
- Represent these units diagrammatically

3.1 THE STATUS OF LOCAL AUTHORITIES IN BRITAIN

Local governments in Britain are principally referred to as local authorities. They are created by act of parliament. Even though there are various forms of control, the idea of democratic self government is a serious form in the power of these authorities. The government however hesitates to give appreciable autonomy or independence to these units because such may act as distraction in the face of the social, economic and political unity needed by Britain as it forges integration democratically and related to the rest of Europe.

Despite this fundamental hold on local governments, in practice, things are not so tight as it may seem (because of this general disposition to make the system work and the power local governments derive from acting *intra vires*). For example, Pollard reports that:

Local authorities in Britain are not emanations of the State but are responsible bodies, competent to discharge their own functions and although they may be the statutory body through which government policy is given effect and may operate to large extent with government money, they exercise their own responsibility in their own right, not ordinarily as agents of Government department.

This means that government, having given their local authorities certain powers functions by statutes, thereafter allows these authorities to discharge their functions without interference as long as they do so effectively and justifiable.

3.2 UNITS OF LOCAL GOVERNMENT

The main units of local governments are Counties, Urban Municipalities and Rural local authorities. (Urban municipalities consists of County Boroughs, anon- country and metropolitan boroughs councils)

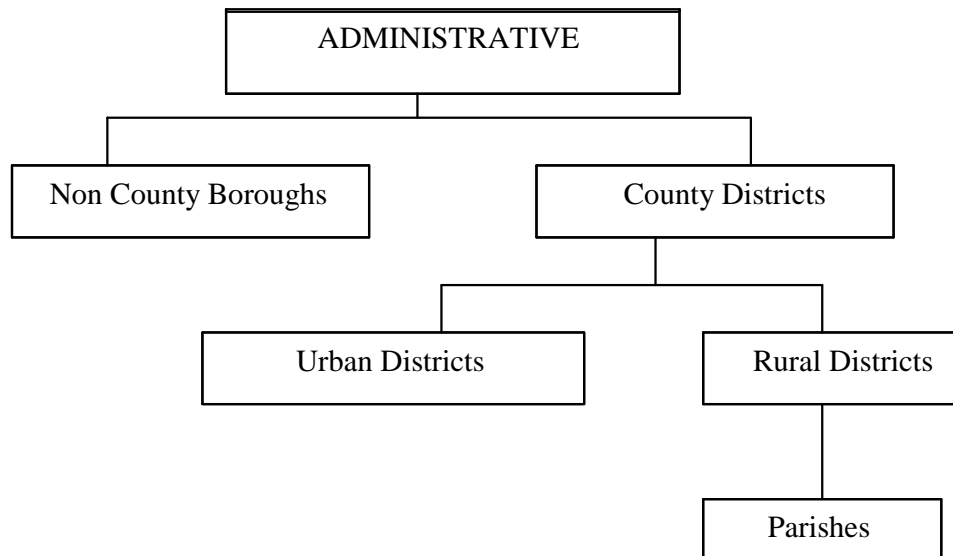
Traditionally, the main pattern of local government organization in England and Wales outside Greater London is a division of the country into COUNTY BOROUGH AND ADMINISTRATIVE COUNTIES.

County Boroughs are mainly chartered Towns with population of 75,000. In other word, boroughs are based on Charters granted at different times by the Monarchy to small towns to exercise some right in its own justices and courts and settle dispute locally.

Furthermore provision was made for separate parliamentary representation which the other types of councils did not have. The County borough have a;; the power a or non-county borough council and of a county council. This also includes police affairs.

However, Administrative Counties are the more numerous and popular. Administrative Counties can be broken into Non County Borough and County Districts. Later consists of Urban Districts. The latter consists of Urban Districts and Rural Districts, while Rural Districts are made up of Rural Parishes (or 20-30) in a District).

This may be shown diagrammatically as follows.



Each of these divisions or units has its own powers and duties administration by its elected council. But meanwhile, the number of these units are as follows

58 County Councils
82 County Borough Councils
264 Non County Borough Councils
532 Urban Districts Councils
3,300 Parish Meeting

Greater London Boroughs are responsible for such as, housing water supply, sewage, minor roads and bridges buildings etc. Services of urban and rural district councils are similar to these provided by non-county borough councils except that the rural districts are not responsible for highways and libraries.

Parish councils is able to provide local amenities including allotments, village halls, playing field, street lighting upkeep of footpath, etc.

However, a new structure emerged as from 1974 even though it did not affect Greater London. This is diagrammatically represented below:

ENGLAND NON-METROPOLITAN AREA (54.5%)		ENGLAND METROPOLITAN AREA (24.0%)	WALES (. 5%)
LEVEL		AUTHORITY	
First Tier	MMCC (39) MCC (b) CC (8)		
Second Tier	MMCDC (296) C (39) CDC (37)		
Third Tier	Parish Govt Virtually none Community		

Note: The structure of local Government in Greater London left unchanged
(%) Shows estimate proportions of the population of England and Wales.

Key: MMCC = Non-Metropolitan Country Council

MCC = Metropolitan County Council

CC = County Councils (Wales only)

MMCDC = Non-Metropolitan County Districts

CDC = County Districts Councils (Wales only).

There has been no fundamental difference between the Traditional and New structure. First the structure of Greater London was untouched. Second, the plurality of administrative counties have been neatly divided into Non-Metropolitan which is now used to qualify the type of County Council except that the use of “Urban” has been dropped with only *Districts” retained. In Wales, there is no such broad distinction but the name urban is also dropped.

Generally, for non-metropolitan area local governments parade a three-tier structure (just as in the traditional local government system). The same is true for Wales except that the name of the “Parish” has changed to “Community”. For Metropolitan areas in England, a two tier system is still visible as in the traditional system, except that the term “urban” has been removed.

Of course it should be noted that the number of Council has changed.

ACTIVITY 1

Present a diagram showing the structure of local government in England and Wales from 1974.

ANSWER

Refer to diagram on Page 3 (3.2)

3.3 DEMOCRATIC STRUCTURE AND ADMINISTRATION

Local Government Councils act on behalf on the people since they are elected bodies. The elective offices are mainly those of the Chairman and Councillor plus the Alderman. Let us see how this operate.

In administration Counties, the post consists of Chairman, Alderman and Councillors. The Chairman is elected annually from Council or Alderman to hold that office. Alderman is actually drawn for the pool of individuals who possess sterling qualities who may not want to subject themselves to elections but whose contribution to local governance may be highly cherished. He possesses qualifications equivalent to a local government councillor. Aldermen are elected for 6 years by the Councillors in a proportion of 1.3 with half retiring every 3 years.

Councillors are elected every three years and are all eligible for re-election.

Note that by the time council is dissolved at end of every three years, with half of the Aldermen, the other half provides continuity in running the local government.

For Urban and Rural District Counties, the Chairman is also chosen from among council and he is Justice of the Peace of the County.

Elections for District Councillors take place either annually or triennially. On annual basis, 1/3 cease to hold office unless re-elected so that by the end of

the three years, the whole council must have been renewed.
~~Normally~~ are held four times in a year.

Rural Parishes with a population of 300 or more are under one Council. However, a Parish Council consists of Chairman and not less than 5 or not more than 21 members (as may be determined by the County Council) They hold office for three years. The members are elected triennially as a whole.

County and Non-County Boroughs have Councils along the lines of administrative counties i. e. elected from Councils one in a year, exercises ceremonial powers while Council determined his remuneration. The Mayor may appoint his deputy Councillors are elected for three years but 2/3 of them retire annually. Alderman consists of 2/3 of total number of Councillors either elected from among Councillors or persons qualified to hold office. Their tenure is 6 years, half of the number retiring every three years. (This is usually referred to as aldermanic elections). Meetings are normally held in these Councils four times in a year.

Looking at the British democratic structure of Council, there are certain striking features. First is that unlike the American strong Mayor system, Chairmen are chosen from among Councillors, So also is the fact tht his tenure is only for a year in each case. Second, the aldermanic factor is an innovation which combines democracy with merit and provides for continuity in administration. Third is that fact that 1/3 of Councillor retires every year implying that such an exercise is capable of gingering them to grace up to their responsibilities squarely. The point of interest in either the American or British experiences however is that no matter the population of the local unit, Councils are runned through representative government.

ACTIVITY 1

Make a list of political office holders at the local government level in Britain and express their roles in a sentence each.

ANSWER

1. Chairman/Mayor – Chief executive of Council and justice of the Peace
2. Councillor – Approves budgets and make bye-laws
3. Alderman – Law maker but provides continuity to council by virtue of their larger services in local government.

These are just some of their roles. You may think of others having read through the portion on Democratic structure & Administration”.

4.0 CONCLUSION

British local government system is multi-tier and each level is responsible for a ground of local functions. The plurality of authorities may have been confusing to you but the 1974 Reform has simplified this. You can recall that in Britain today there is the three tier system of County Council, District Council and Parish Council especially in the non-metropolitan area which constitute 54.5% of Councils. The metropolitan area including greater London takes 24.0% but with a two-tier structure. There is no Parish government because it is difficult to find such communities in metropolitan area.

Note that in our discussion, the responsibilities of these councils have been stated. You have also seen the democratic basis for administration with actors like Councillors, Chairman/ Mayor, Alderman.

5.0 SUMMARY

Let us summarise

1. That modern British Councils are structured into County Councils, Districts Councils and Parish Councils at the level of Non-metropolitan councils while for metropolitan councils, we have only a 2 tier structure of metropolitan county councils and metropolitan county Districts councils.
2. The most numerous councils are the administrative counties ranging from 58 county councils to 3,000 Parish meetings.
3. Each council is responsible for a group functions with the Parish performing the most basic functions.
4. The major political actors in British local authorities are the Mayor (Chairman) or the Lord Mayor (in London), the Councillors and the Alderman. Germany is provided in local administration by the latter as 1/3 or 2/3 of councilors retire every year, depending on the council.

6.0 TUTOR MARKED ASSIGNMENT

Compare County Boroughs and Administration Counties

ANSWER

County Boroughs are created by Charter granted by the monarchy permitting small towns to exercise some right over its justice and courts and settle local disputes. However, modern administration has increased this to revenue generation and delivery of essential basic services. They are metropolitan or urban in character and the structure is single tier.

Administrative Counties are typical local authorities created by Act of Parliament. They are largely rural municipal including urban and districts. Underneath the latter is the Parish. Administrative counties also contain con-country boroughs which are also urban in nature.

In modern days, the county and non-county boroughs and county districts have the same power which also include police affairs. These terms are actually used to describe urban, rural, municipal towns except that some are established through royal charter while other through Act of Parliament

7.0 FURTHER READINGS

R.M. Punnett, (British Government and Politics (London: Hienmann Ltd., 1971) Pp 386-386

S. Humes & E. Martins, Structure of Local Government Throughout the World (The Hague, 1961).

J.H. Price Comparative Government (1965 Pp 169)-174

UNIT 8

THE STRUCTURE & FUNCTIONS OF LOCAL GOVERNEMENT

TABLE OF CONTENT	
1.0	Introduction
2.0	Objectives
3.1	System and Structure of Government
3.2	Units of Local Government
3.2.1	Counties
3.2.2	Rural Municipalities
3.3	Democratic Structure
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1.0 INTRODUCTION

American local governments operate under the control of state government. Despite this control, they have wide variety of powers. Such powers are informed by their democratic base and its attendant quality services and accountability.

The structure of American local government is like the British system, i.e. multi-tier. In this unit, you will be introduced to the various units of local government and their responsibilities. While emphasis in this unit be on Counties and rural municipalities, the next unit will be devoted to City governments in America. Find out what is more unique and exciting about city governments in the next unit.

2.0 OBJECTIVES

At the end of this unit, you should be able to do the following:

- Identify the major units of local governments in the US.
- Present the structure in a diagram
- Appreciated the role of democracy in these units especially with the 'Home R ule'

- Comment on the composition of the country executive and Rural municipalities
- State some functions of these units

3.1 SYSTEM & STRUCTURE OF GOVERNMENT

The United States of America operates a federal system of government and as such powers are shared between the Federal and State governments. (There are 54 States in all). Federalism was adopted as a way of reacting to the vast size of the territory, the nationality problem, the forces of diversity and very importantly, the most viable option for an amicable harmonious co-existence after the historic war between the Northern and Southern States in the country between 1861-1865.

There is a Constitution of the United States of America which shares powers among the tiers of government in a way that federal-governments enjoy “exclusive and concurrent” power only. Local governments are created by the States even though they are the pillars of the entire State structure. They however receive mention in the Constitution and they enjoy residual powers.

Government administration is manifested in such political institution as the Executive and the Legislative. The U.S. operates the Presidential system of government. The President is an Executive one – a chief executive – the whole nation is his constituency. His cabinet is separate from parliamentary status.

Parliamentary (or Congress) at the national level consists of two houses – House of Representatives and Senate, the latter being the upper house. This bicameral legislature makes laws for the good governance of the state, sometimes having enormous powers to hold the President to ransom even in finance matters. The President of course evokes his veto on certain occasions.

The State has Governors as Chief Executive running similar administration as in the centre. Parliament however is unicameral. It makes law for the good governance of the state, and like the centre, it is a ‘watchdog’ over the executive.

One thread that runs through the organization of government at the various levels is the fact that political activity is generated and governed by institution like the political party. All elective posts in government are to very large extent filled through party candidature except for one or two independent candidates. Even appointive posts are largely coloured by the incidence of party candidature and interest.

Let us now look at how local government operates within such a democratic and Constitutional framework.

3.2 UNITS OF LOCAL GOVERNMENT

Ahas captures his book “80,000 governments” In it, he was discussing the politics of sub-national America. This description is apt of the American system with one Federal Government, about fifty four states and the rest in local governments. This alarming figure arises not just out of the various units of local government, but also the closeness of these units to the common man. Prominent among these are the Counties (most representative nomenclature for local government). Counties could consist of Township (rural counterparts to municipalities and rural counties).

The second classification of the units of American Local Government is *incorporated place or Municipalities. This includes Cities, Boroughs Village and Incorporated Towns.* (Some of these get created at the instance of the people’s desire for provision of services).

It should be noted that although the municipalities are geographically included within the county they are not administratively subordinate to the county government. County government has no power of review over municipal government activities. Where ever there are no rural municipalities the county becomes the basic unit of government.

System of Administration – Local Governments in the US are governed by laws of the States and not those of the national government, therefore no national pattern of local government exists. The law and practice of local government varies from State to State.

State governments have direct legal control over the Counties which operate as agencies of the State to enforce state law. Nevertheless these local units are powerful because they enjoy enormous power by way of legal competence, financial resources (especially in cities) and their democratic base.

ACTIVITY 1

QUESTION – Classify the major units of local government in the US

ANSWER:

Local government in the US can be classified as follows:

- a) Counties – the major unit of local government. All other units operated within this. Some of them are as large as the county itself e.g. some cities and towns.
- b) Incorporated places or municipalities – These include Cities, Boroughs – Villages and Incorporated towns. No Cities are single tier while urban and rural municipalities are multi-tier.
- c) Special districts – created for specific projects. The school districts is an important feature of the special districts

3.2.3 COUNTIES

American Counties are agencies of state government which also may abolish them, and thus nature and functions vary from place to place. In the New England States, this unit of government is primarily a judicial district, in the Southern and far Western states it serves as the primary rural ~~controlling~~ courts, education, health, public welfare works and roads. In a greater number of the state, urban municipalities are within the county and their residents pay taxes to support the county government as well as that of their municipalities. Councils are democratically constituted and the composition and size of membership could depend on the complexity of the county.

Generally, the governing organ of counties may level taxes, ~~appropriate~~ issue bonds, maintain law and order, care for prisoners, maintain roads, record deeds and vital statistics, settle estates, care for dependent and neglected children, advance agriculture and assume certain public education responsibilities. It can also execute optional powers granted to it by the state, such as county planning and zoning, various public health and recreation activities and housing.

Note that in the interest of good government, some counties have elected chief executives or presidents whose duties are similar to those of the strong mayor. In other small counties, the county council may appoint a county administrator, whose duties are similar to those of the manager. (The concepts of strong Mayor and City Manager are explained in the next unit).

ACTIVITY 2

State four functions performed by the County executives in the US

ANSWER

Could be any of the following four:

- a) Levy taxes
- b) Appropriate money
- c) Issue bonds
- d) Maintain law and order
- e) Care for prisoners
- f) Road maintenance
- g) Child welfare, etc

3.2.4 RURAL MUNICIPALITIES OF TOWNS

The township or town exists in a large number of American states. A few of these town governments covers all rural areas. Generally, large densely populated areas are not included within township government although the smaller ones may be and their residents then pay township taxes and vote in township elections.

Some states having township government charge the township government with only the assessment and collection of taxes and acting as a judicial and election area. In other states the township have large urban areas and must thus provide many of the services of the incorporated municipality. Generally, the townships assume such functions as maintaining roads and administering certain health and public welfare services. The trend had however been to transfer these functions from township to the county.

The town government is elected and headed by a superior or a Trustee (but popularly called a chairman). He serves a 2 or 3 year term and his primary concern is with coordinating township activities. Apart from 3 other people who may be elected with the chairman to serve as the governing officials of the town administration may be a clerk, assessor, justices of the peace, constable, treasurer and tax collector.

3.2.5 DEMOCRATIC STRUCTURE OF LOCAL GOVERNMENT

Local Governments in the US are constantly democratic in nature. To the people, there is the belief that “small local government is better than distant big government”.

In connection with this, the “Parent Commission” has once observed that it is only at “the lowest level of government that every citizen had the opportunity

to participate actively and directly”. So also has the Advisory Committee on Local Government expressed the following views on local government.

“Local Governments are to total government what basic tissues are to the human body. Within them, government would have not vitality”.

All these observations are pointed to the fact that the system is infested with a heavy dose of democracy. One appreciates this at a glance if informed that all the “80,000 governments’ practice some form of representative democracy including counties or schools districts some with a population of 227 people. (this population must have changed with time) Can you update this?

One of the hall mark of this democracy is the “Home Rule Charter”. This is an attempt by communities to seek legislation through which they could rule themselves. “Home Rule means simply that local units are granted powers of self government without interference from State Law”. (note however that there is nothing like complete autonomy for local units. It is a relative). The objectives of Home Rule are three:

- to prevent legislative interference with local government;
- to enable cities to adopt the type of government they desire;
- to provide cities with sufficient powers to meet the increasing need for services:

Moreover, local units are said to be the pillars of American democracy. The various types of local governments down to the lowest unit (i.e. the Districts) have their own executive bodies elected by the people. In fact, local authority units serve as returning officers in both state and national elections. Through such representative bodies, the will of the people is expressed and public accountability ensured. This democratic variable in addition, confers on city government wide powers in budget preparation while the state government hardly interferes with local government. On accountability, any executive that does not perform stands the risks of being voted out or removed by the people. On the other hand, local governments are open in their administration and ensure prudence in financial management.

Furthermore, this democratic structure shields Local government from the excesses of state control in such a way that even though these units are established by state charters of legislation, no state government can dissolve a county or city council, since their primary mandate is from the people who elect them. In most cases however, the relationship is that of cooperation rather than antagonism.

4.0 CONCLUSION

In this unit, you have been introduced to the structure and responsibilities of American local governments especially the counties and townships. You were informed that the county is the basic tier of local government. Other local governments operate within this.

The major features of these local governments are that their governing body is elective, they assess and raise taxes in some cases (rating and electing authorities) and in some cases some also, they are judicial and electoral units.

Attention is placed on the county and township councils. What is left to be done is to look at the city councils. What is interesting in the city council is their type of executive. This will form the subject of the next unit.

5.0 SUMMARY

The major points learned in the unit are as follows;

- i) Local governments in the US are the concerns of the state
- ii) The county is the basic unit of local government under which are municipal, township, city and district councils (a multi-tier structure).
- iii) The executives of these councils are elected
- iv) Many communities seek 'Home Rule' to enhance democracy autonomy.
- v) Some councils especially townships could be a rating authority, a precepting authority, a judicial and electoral area,
- vi) Counties perform functions like maintenance of law order, road maintenance, child welfare, advanced agriculture, public education.
- vii) Rural municipalities perform functions such as road maintenance, public welfare, health services, tax collection.

6.0 TUTOR MARKED ASSIGNMENT

QUESTION

Comment on the democratic nature of American local government

ANSWER

The answer should include the following

- a) Realisation of the fact that America has experienced democracy for more than 200 years
- b) Local government as the pillar of American democracy (Also note the views of the parent commission)

- c) Home Rule and its democratic undertone.
- d) Local governments used as basis of local and national election.
- e) Political staff of local governments are elected. They also administer democratically.
- f) Some administrative staff are also elected
- g) Strong demands for accountability from officials
- h) State interference is minimal

7.0 FURTHER READINGS

S. Humes & E. Martin, The Structure of Local Government Throughout the World Pp. 234-251

M. Skidmore & M. Wamke, American Government: A Brief Introduction (USA; St. Martins Press Inc. 1981) Ch. 1.

H. Alderfer, American Local Government and Administration

J.H. Price, Comparative Local Government Pp. 391-322.

UNIT 9

STRUCTURE & ADMINISTRATION OF CITY GOVERNMENTS IN THE UNITED STATES

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3.1	Establishment of Municipalities
3.2	Types of City Executive
3.2.1	Strong Mayor Council
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3.2.3	The Commission System
3.3	Summary in Diagram
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5.0	Summary
6.0	Tutor –Marked Assignment
7.0	Further Readings

1.0 INTRODUCTION

Cities operate under counties in the United States. Some of them may be co-terminus with counties while in others a county could contain more than one. The administration of city government is different from rural municipalities because of their complexity. In coping with this, cities have come out with a range of types of executive, ranging from the mayoral system to the manager system.

In this Unit you will be introduced to these types of executives, their structure, their composition, their democratic structure, their functions and their merits and demerits.

You may at the end of the exercise want to relate this to the experience or recommend the more attractive type of executive for Nigerian local governments with reasons.

2.0 OBJECTIVES

You should be able to do the following at the end of this unit.

1. Identify the four major leadership types in city government

2. Explain how each type operated
3. State 2 key merits and demerits of each type.
4. Appreciate the democratic structure of these cities
5. State functions performed by cities.

3.1 ESTABLISHMENT OF MUNICIPALITIES

As pointed out in the introduction, the last unit introduced you to the structure of local government generally in the US. It went on to look at the County and Rural Municipalities leaving out Urban municipalities and especially Cities. City governments are unique because of their complex pre-occupation at the level of infrastructure and administration. To manage the complexity of functions and remain accountable, four types of executives are identified with cities in the US. They are the Strong Mayor, the Commission plan and the Council manager. This is the focus of discussion in the work. Before we go into this discussion, let us look at some background into the urban municipalities.

Urban municipalities consists of Cities, Boroughs, Villages and Incorporated Towns. The urban municipality is a creature of the individual state government and therefore the requisites for creation, vary throughout the country. All are however incorporated through one of the following methods:

- separate charter (done through the legislation of the state legislature)
- generally law under which charters are granted to municipalities according to population, geographic location, or assessed valuation;
- optional charter whereby local voters may chose which of municipal government they would like to have.
- home rule, through which citizens of a municipality may elect a charter commission which will draw up and submit to the legislature and to a vote of the people, a document setting up the form of government they prefer.

ACTIVITY 1

QUESTION *State 2 ways whereby urban municipalities are incorporated in the US.*

ANSWER *There are four ways. (See 3.1.1 for the money)*

3.1.2 FUNCTIONS OF MUNICIPALITIES

Despite all these forms of charter and variations in setting up municipalities, (i.e methods) of incorporation) American municipalities have the same functions, which include.

- Police and fire protection
- Public works
- Libraries
- Parks and recreation
- Public utilities
- Zoning and city planning
- Sometimes public health, airports, harbour, housing.

ACTIVITY 2

QUESTION State 3 functions performed by cities in the US which are not performed by local governments in Nigeria.

ANSWER - Police and fire protection

- Libraries
- Airport
- Harbours

3.2 TYPES OF CITY EXECUTIVE

There are four major forms of executives in the United States.

Local Government system viz:

- i) The Strong Mayor Council
- ii) The Weak Mayor Council
- iii) The Commission Plan
- iv) The City or Council Manager

The first two are simply referred to as Mayor-Council.

a) The Strong Mayor Council)

This is the most popular form of American Municipal government and is also the oldest. It has maintained a predominant position among cities; small or large. The growth of the Mayor's power was a reaction to the complexity of the city thereby necessitating a strong and active leadership. The mayor is almost universally directly elected by the people for a term of 1-6 years (generally). But the most common tenure could be 2 or 4 years. The council

is the legislative body and is nearly always unicameral body. The size of the council is about proportionate to the size of the city; probably because of a diminishing need of group representation in the small cities.

Members of the Council are selected by partisan elections in over 50% of the municipalities and non-partisan elections in other. Elections are held both at large or on ward basis depending on the city's choice.

The distribution of power between the mayor and the council varies from city to city. In all cases however, the mayor is elected by the electorate. The strong mayor has enormous responsibilities.

- a) He is the Chief Executive and is accountable to the people
- b) Has the power in some cases to appoint and remove Heads of Departments. This is necessary to make sure the policies of the council are not sabotaged.
- c) Has the authority to prepare and present and execute budget
- d) He can exercise veto powers which can only be overruled by an extraordinary majority of the council
- e) Sometimes shares legislative functions with council but has strong control over them.
- f) The council cannot impeach the mayor. He has to complete his term.

Any such act would have to be directed to the electorate which has the ultimate power to remove the mayor.

The system's advantage could be in the area of friction between the mayor and the Council and his strong position tending to erode powers from the administrative terrain, in other words, some dictatorial tendencies.

3.2.2 The Weak Mayor

Here, the electorate appoints both mayor and council. Boards and Committees, which are also elected constitute part of the organization to discuss issues and take decisions. Decisions are normally passed back to Council and Council presents it to Mayor for ceremonial approval. (note that size of Council could range from 5-50)

The mayor is more or less a ceremonial head executive power is in the hand of the Council. The mayor's authority is severely limited and the Board and Committee above are beyond his control. He has no veto power either over the budget or over ordinance passed by the Council. At the most he behaves like a symbol or ceremonial Head of Council.

Nevertheless he organizes and conducts the activities of council. In his daily administration, he has little to do with the Departments. He can only report to Council certain issues, relating to them.

This system is therefore more prone to criticisms. First is the administrative control in the office of the Mayor, as he is unable to coordinate the activities of other departments directly nor does he have a role in selecting them. Second, there is likely to be a lot of political manipulation from outside government since councilors have better influence over departments and could override the Mayor. This type of system can work more easily where majority of Councillors and the mayor come from the same party.

3.2.3 The Commission System

Under this system the electorate vote people to form commission. The elected representative called Commissioners meet and decide on issue. Departments are normally grouped under each commissioner. Therefore the Commissioners are both political and administrative in their functioning.

A Mayor is normally elected from among themselves who directs meetings of Council. He is also rather more ceremonial. Secretaries are professional heads of department and there is specifically a Secretary to the Mayor who coordinates the activities of the various departments.

The Commission system is sometimes tagged as a “business government”. This is because of the history and nature of the plan. It is a 20th century American invention. In 1901, the Gevelston Texas county experienced a devastating hurricane which made it suspend the weak mayor and entrusted local governance in the hands of five local business men of integrity. Because the five Gavelston Commissioners introduced business into government and did a commendable job, it became a lesson and thenceforth, the Commission plan was adopted while spreading to other cities.

Five Commissioners came to be elected with four becoming heads of city operating departments and the fifth serving as mayor-president of the city with general supervisory power. The mayor, though without a veto, yet was “first among equals” – a sort of Prime Minister.

As can be seen, one of the highlights of this system is the complete lack of separation of powers, with commissioner performing both legislative and executive functions. Second is the relative size of the Council – five being the common number of commissioners who are selected at large for four years.

Third, administrative powers are exercised jointly in appointment and

removals, not by single commissioner. Forth only commissioned offices are elected.

The advantage of the commission is in its simplicity in structure and administration of which the citizens simply understand. Other advantages are direct responsibility on commission, (so no buck-passing), similarly to a business organization and hence tendency for efficiency, and citizen control of government because of short ballot and likely provision of democracy services.

On the other hand, there is tendency for “diversity rather than unity” because of fusion of powers and since joint decisions on action over department are necessary in certain cases. Second the expertise expected of an administrator is lacking in the commissioner – administrator. Also there is the failure to provide executive leadership for the city.

As a result, many actions taken ended at the expense of the citizen – some tendency for the commissioner to become an empire builder with little control in such cases. It may be informative to know that the experiment or the number of commission – governed cities have continued to decline over the years. What has come to be much adopted is the Council-Manager System.

3.2.4 Council-Manager Form

This type of system is a “business-like” structure and indeed claims to be an adaptation of the organization of business corporation to the governing of a city. In the US, the first practical application occurred in Stuanton, Virginia in 1908. It replaced the weak-Mayor (bi-cameral administration). Earlier, in those times the power of the manager did not extend to Police, fire and personnel recruitment and disposition. Over the year however, much changes have taken place:

“The fundamental feature of the Council Manager form of government is its unification of powers in an elective council combined with the separation of legislative functions through the employment of a manager to serve as the city’s chief administrator”.

Council is composed of between 5-9 members elected at large and not necessarily on party basis. The third professional (council manager) is subject to dismissal at any time). While this manager is vested with the power to appoint and to remove his subordinate subject to civil service rules and regulations, and to prepare the budget for consideration by the Council. Other features are the location of administrative responsibility in the office of the manager, and the absence of formal separation of powers.

Council manager system in a sense, takes care of problems of the commission plan at least at the executive, legislature and administrative levels. Added to this are the advantages of simplicity of its structure, administrative leadership, separated of politics from administration and full time employee (on come contact), some motivation for maximum output.

The criticisms on the other hand points to the fact that the dividing line between policy and administration is not clear, there is the problem that arises out of a council of equals, (even though one may serve as mayor) political leadership therefore stands to suffer.

Despite all these, the council manager system has recorded substantialities and becoming more and more popular too.

There is no doubt that these forms of city executives are modified to suit local variations and peculiarities in different settings. A mix could also obtain.

ACTIVITY 3

QUESTION: State 2 advantages and 2 disadvantages of the council system

ANSWER

Advantages

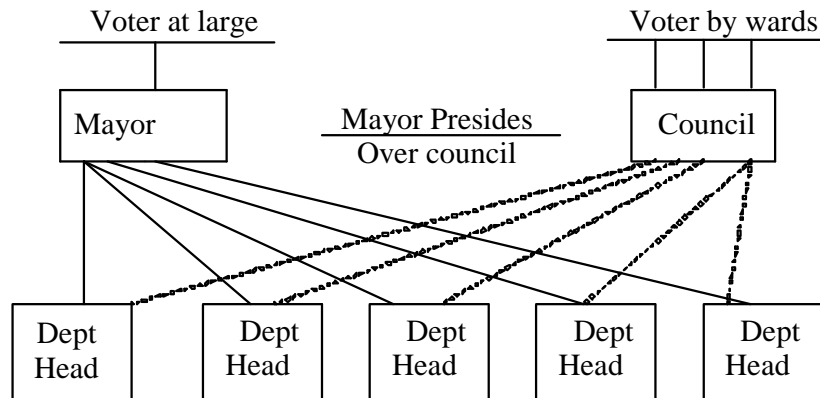
- a) The structure is simple
- b) Reduce cost in maintaining a large council an executive in the other form

Disadvantages

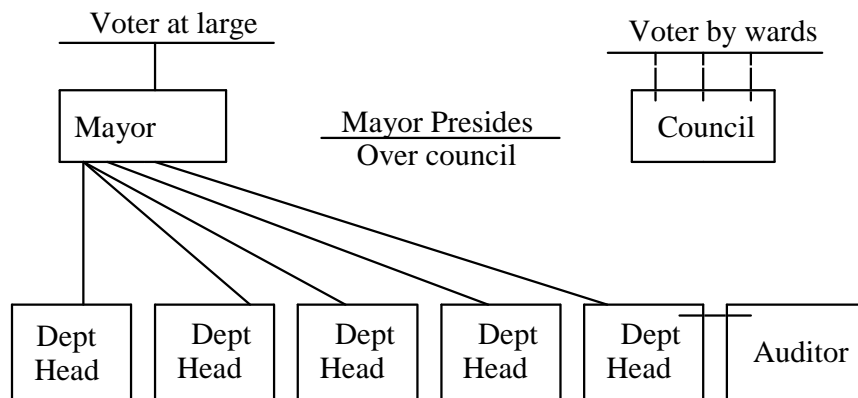
- 1. Problem of where policy making stops and where administration or implementation begins
- 2. Tendency of using function of the executive

SUMMARY IN DIAGRAM

I WEAK MAYOR – COUNCIL FORM

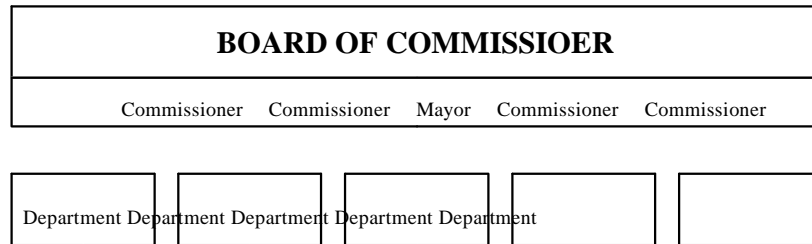


II STRONG MAYOR

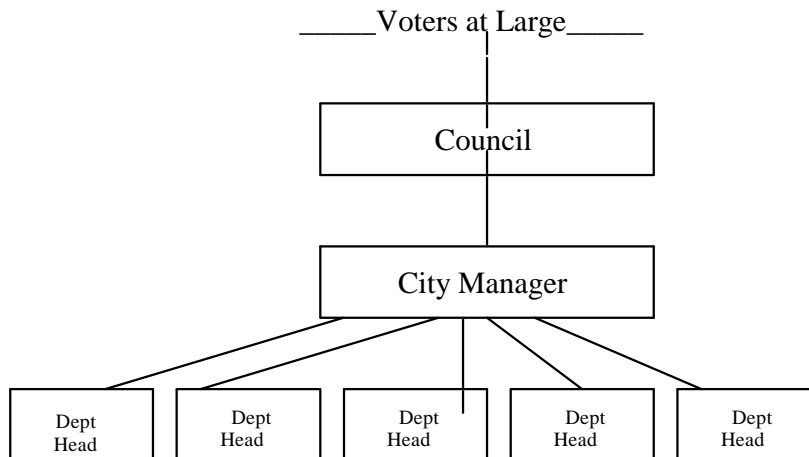


III COMMISSION FORM

____ Voters at Large ____



IV CITY MANAGER



One point to be noticed from all these is the power of the electorate and the subsequent consciousness of the accountability which is required of each of these types of councils

4.0 CONCLUSION

You will now agree with me at the end of the unit that city governments operated complex administration but the response to this has been adoption of an executive that can respond to the needs of the municipality as efficiently as possible without compromising democracy, accountability and efficiency services. Remember the theories of local government are based on these and remember too that we draw a compromise on these variables.

You may also need to appreciate as part of their complexity the functions performed by these units especially the gigantic ones of airports harbours and housing. City governments need to deliver efficiency services and therefore, apart from the social functions of police, fire, parks, etc, some economic functions are necessary to raise revenue for these cities outside the general taxes paid and this is why these gigantic functions are necessary.

Housing appreciated the functions and management of cities, you may now wish to make up your mind whether city government in Nigeria should venture into some of these and the implications of doing so. You may also want to apply the type of executive to Nigeria local governments recommend any of these for Nigerian local governments giving reasons for your recommendations.

Note that the types of leadership in cities are also adapted and adopted in American counties or rural municipalities depending on legislation or the people's choice or convenience.

5.0 SUMMARY

Having gone through this unit, you would have found out the following salient points

- a) Urban municipalities are of Counties and they in turn consist of cities, boroughs, village and incorporation towns.
- b) Urban municipalities are set up or incorporated by state governments using different criteria.
- c) Urban municipalities especially cities perform both social and economic functions especially in big areas like airports, harbours and housing.
- d) The democratic structure of the city executive promotes participation efficiency and accountability.
- e) The types of executives in cities are the mayoral council system (strong and weak), the commission system and the council or city manager system.

6.0 TUTOR MARKED ASSIGNMENT

QUESTION - *Differentiate between the strong mayor and weak mayor in the structure of city executive leadership.*

ANSWER – *Your answer should address the following*

1. Highlight the major features of the mayoral-council system generally
e.g
2. Appointment of mayor is direct (presidential)
3. Council and mayor have a tenure
4. Mayor has power

Strong Mayor

- Mayor is elected between 1-6 yrs
- Mayor cannot be impeached by council
- overriding powers over council
- state these powers of the Mayor
- Mayor criticism is that of dictatorial tendency

Weak Mayor

- Mayor is also directly elected but council here may be longer
- Mayor as a ceremonial executive but preside over council like the strong mayor - Mayor cannot control the boards and committee above him
- Administrative control of departments is less than that of strong mayor (councillors have more access to departments here)
- Major criticism is slow administration
- Council and mayor need to come from the same party for the system to work well.

7.0 FURTHER READINGS

S. Humes & E. Martins, The Structure of Local Government Throughout the World
Pp. 234-251.

H. Alderfer American Local Government and Administration

J.H. Price Comparative Local Government Pp 319-322

UNIT 10

STRUCTURE AND FUNCTIONS OF LOCAL GOVERNMENT IN FRANCE

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3.2.3	Regions
3.3	Functions/ Responsibilities
4.0	Conclusion
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6.0	Tutor-Marked Assignment
7.0	Further Readings

1.0 INTRODUCTION

French local government presents a good example of both aspects of decentralization. You may realise that the American system significantly devolves powers to the Counties and Britain even though unitary, promotes local self government.

In this unit, French local government will be x-rayed of local government before and after 1982, the functions and responsibilities of these councils and the democratic content of the councils.

At the end of the unit, you may (as in the American case) want to look at the epoch of local government administration in Nigeria and see how the French model applies in them.

2.0 OBJECTIVES

At the end of the unit you should be able to do following:

- Identify the major units of French local government
- Classifying and explain the type of decentralization that went on before and after 1982

- Compare the role of the Prefect in the administration of 'Departments' before and after 1982
- State the functions of each tier of government
- Identify the types of executive or system of government practiced in French local government.

3.1 THE NATURE OF DECENTRALIZATION

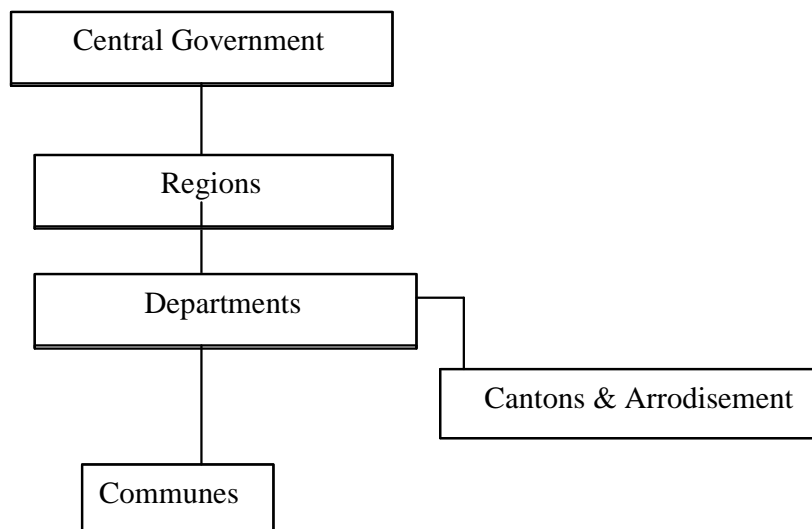
French operated a unitary system of government and by implication exercises much control over the local authorities.

The structure of local authorities in France is multi-tier. The effective or basic unit of local government administration before 1982 has been the power of the Prefect. During this period, the Prefect was more powerful than the elected local government executive council. As from 1982, the powers were greatly reduced.

Let us now discuss the units, their administration, and their functions or responsibilities and their power more systematically.

3.2 THE STRUCTURE/ADMINISTRATION OF LOCAL GOVERNMENT

The structure of government in France is as follows



Note that before the creation of Regions, the Province which is ~~Department~~ was the first local unit under the state. When Regions were

created in 1972 (as administrative unit) it pushes the Department below it. Arrondissements and Cantons are like sub-provinces and Districts. The Municipality is actually the Commune.

The Commune is the lowest unit of government in France. They were born of the French Revolution and replaced the old Parishes of the Ancient Regime. The whole of France is divided into 38,000 communes to make sure local uniformity is ensured. It had served as the country's basic administration unit over the three centuries or more.

The population of 38,000 Communes leaves an average population of 1,300. As Blondel points out, if one excludes the large towns and cities such as Paris, Marseille, or Lyons, the average commune size is even much smaller: 35,000 communes have less than 2,000 inhabitants, their average population.

This may look so small for any viable or credible administrative unit to emerge not to talk of mobilizing resources to develop such area. Nevertheless, the democratic principle is very strong here and the principle of representation forms the basis of administrative organization. In this connection, the Commune has a "deliberate body" elected by direct universal suffrage, (i.e. the Municipal Council) and an executive arm (the Mayor) himself elected by the Municipal Council.

(Mayor of Communes came to be elected since 1882 but under the Napoleonic order, they were appointed by the Central Government, Making the system authoritarian).

The Council holds at least four sessions in a year and its role is to primarily supervise the action of the mayor and to deliberate on the budget. Even though the Council elects the Mayor, it does not have the right to vote him out or force him to resign. This is not true of the Parliamentary system. In matters of budget, where the Council refuse to approve the Mayor's budget, he may be led to resign and government is then likely to dissolve the Council and call for fresh elections.

Such exercises are rare because the majority party more often than dominates the Council and the Mayor enjoys the good will and support of these members – at least a majority. This is not to talk of the fact that many Mayors have considerable personal following in the commune and distribute patronage stores to parliamentary or higher governmental carriers.

ACTIVITY 1

QUESTION – Present the structure of French local government in a

diagram

ANSWER – See the structure

3.2.1 DEPARTMENTS

“Departments replaced the old provinces whose continued stay was seen as a danger to national unity”. There are 96 Departments in France and they are supposed to have created out of a group of Communes. In other words they oversee the activities of communes and either pool their activities together or support them individually to make them viable, considering their very small populations and resources.

However, communes can be said to be more democratic than Departments because of the nature of representation and leadership. There was normally a weak elected council of the Department known as “general council” (conseil generale) in which executive power remained in the hand of “Napoleon’s creation”. The Prefect.

The Prefect was the representative of government in each department and also the executive agent of the department. He corresponds with the mayor of the commune but he is an appointee of the Central Government. ‘He is more like a colonial governor than like the head of a local authority.

The prefect before 1982 detracts from real local democratic activity in two ways.

First, he is not local and does not come from area, Second, Prefects are moved every two or three years as matter of policy so as not to get involved in local troubles as a result of long stay. This would enable him concentrate on government policy.

In a lot of cases, Prefects are chosen from among Sub Prefects whose men are posted in each arrondissement to supervise the activities of mayors and if necessary block or reverse their decisions within the limits of the powers which the law gives them.

Furthermore, Prefects have among their central government functions, that of supervising the activities of Mayors and Municipal councils. Prefects had power to alter budgets, to appoint officials and sometimes even to suspend elected councils. This used to be the practice for many years. Note that budgets of small local authorities are for instance often drafted by agents of the Sub Prefect as these Mayors do not have the skill, or the staff to draft the budgets themselves. Note also that the relationships between Prefects and Mayors are not necessarily antagonistic because the Prefects help out the

Mayors and other councils in technical problems apart from the budgets stated above. But this is rather as a result of the small size of the locality. It does not necessarily justify the control.

The point made from the beginning about the control system in the French system is now borne out of the relationship between Prefect and Council and its subsequent negation of the people's supremacy.

ACTIVITY 2

QUESTION – *How does the council of a commune operate, vis a vis the mayor.*

ANSWER – *The answer should include the following*

- the commune have a deliberate body on the municipal council (elected) and a mayor elected by from council to head the executive
- Council supervises action of mayor
- Council does not have power to vote mayor out
- Where budget breaks council and mayor, mayor may resign or council dissolved
- Crisis area are minimized because of mayor's goodwill and community rating.

3.2.2 THE SYSTEM OF PREFECTURE TODAY

France today has moved away from this tight control measures with attempt to relegate popular will. This is because of the 1982 Reforms which came into operation as a result of a "Socialist Government" which regarded "decentralization as a cornerstone of local government administration".

Briefly what this Reform has done is to water the power of the Prefect and enhance the power of Council and the Mayor. This was to affect all the Communes, Departments and the 22 Regions. It embodied measures which rendered these authorities relatively more "autonomous and fully accountable". Secondly, it transferred to local authorities powers hitherto enjoyed by the Central government and exercise by its national region of departmental representatives. Some of these newly devolved or decentralized power include:

- Rights and Liberties of Communes, Departments and Regional Act of March, 1982.
- Abolition of a priori powers i.e. Prefects Veto Power on measures adopted by local assemblies was reduced to advisory role.

- Transfer of executive power in Regions and Departments i.e. the Prefect no more served as the executive head of department region (as the representative of Central Governments and Regional Councils) Prefects now prepare the measures adopted by Council and ensure their implementation-some civil servant rather than policy-maker role.
- Accountability of local government. Local government activities must however be overseen by the State in spite of the above concessions. Even though these concessions are wide, the Prefect still serve as a watchdog for council activities. The only change now is that decision may only be reviewed a posteriori. In this case, Prefect may not overrule but the judiciary can review both administrative and financial Acts. Prefects (now known as the Commissioner of the Republic) can refer illegal acts to administrative/legislative. Local government can only act intra vires.

3.2.3 REGIONS

The regions are a recent creation in France. The Communes and Departments were found too inappropriate for certain planning and development objectives to be implemented. Regions are more of planning units than overtly political as in the preceding two.

Actually a Referendum was held in 1969 under De-Gaulle as to need for Regions but this was rejected. In 1972, however, the Region appeared as new administrative unit, with a Council of its own (i.e. deliberately body) whose members were appointed by Departments and the Communes. Membership also include all the Regions members of Parliament plus an executive arm who is the Regional Prefect. This is another attempt in French administration towards decentralization which is indicated earlier picked up momentum with the 1982 Reforms. Altogether, there are 22 Regions.

It appears from all we have said on these local units and their administrative that central control is an important feature of French politics but that local autonomy is also conceded especially with the decentralization reform which eroded some of the powers of the prefect.

One other important feature is that French politics is that of “politics of access”. By this we mean ability to go to Paris and get as much cake for the periphery. The good Mayor or Parliamentarian is one who is able to accomplish this. This is possible because of the structure and mobility available to the political elites within the system. For example, a Mayor could be a member of the Departmental Council, the Regional Assembly and even a parliament in Paris or the Central legislature. And that is why we said from

the beginning that despite the seeming tight control by virtue of this multiple membership which is locally sourced and rooted, the local units tends to enjoy autonomy because of this organic link between the centre and the periphery. Of course the mayor-cum represents who does not perform, stands the risk of being voted out. The party therefore not to fall out of favour with the electorate.

ACTIVITY 3

QUESTION How did decentralization affect 'Provinces' and Regions'?

ANSWER - (Should include the following)

1. Before 1982, Province were in operation. After 1982, it became Regions
2. Province were almost synonymous with Departments. There was no intervening unit between Department (Province and the Central government).
3. Prefects came in as an intervening unit taking on more or coordinating and planning powers.
4. Departments after 1982 came to operate under Regimes with the reforms effectively shifting powers more to the local councils & executives.

3.3 FUNCTIONS/RESPONSIBILITIES

3.3.1 RESPONSIBILITIES OF MUNICIPALITIES (COMMUNES)

These include,

1. Adoption of budget
2. Approval of the yearly financial records
3. Maintenance of public property
4. Building and road
5. Provision of public education, health, sanitation and assistance services.

3.3.2 CANTONS & ARRONDISSEMENTS

Cantons is a collection of Communes initially found for the army, judicial and electoral administration, and for the collection of taxes and the registration of various kinds of required information.

The Arrondissement is purely administrative with elective body but purely to care for the administration of Department. The head of this body is the sub-prefect who is appointed by the Central government.

The sub-prefect has as his functions as follows:

- receives and passes official papers, documents and orders from the governor to the municipalities;
- approves the appointment of certain officials (including local police);
- arranges the details of elections;
- has certain supervisory powers over municipal mayors within his territory (particular on budget and police ordinances)
- he gives technical assistance to those officials and liaise between the local and provisional governments;
- advised the central government on putting into effect state or provisional policy within the area.

3.3.3 DEPARTMENTS

The function of the council here is to adopt a budget (which before 1982 was presented to the Governor (i.e. Prefect) after the local council have approved it.

Council also does the following:

- dispose of provincial and estates matters
- build and maintain highways
- provide public assistance institution and welfare services
- provided certain aspects of public education
- can also set municipal rates and appropriate taxes for municipal development
- exercise control over the province (Department) as the representative of the central government in the Department. This is source of sweeping powers over mayors and councils.

CONCLUSION

You can see from this exposition on French local government that control under unitary system can be more exerting to local government. It has also demonstrated a classical case of deconcentration. Meaning devolution did not quite start until 1982. Even then, the Prefect still remains the effective central government representative at the local level. (This Chief Executive status has not been totally eroded). Such systems have their advantage of ensuring accountability and efficient management of resources. The disadvantages is the encroachment on local democracy and hence local autonomy.

The communes continue to perform their basic functions under same democratic inspiration and just like the department, their deliberative body operates the parliamentary system.

The experience also demonstrated a situation where in a multi-tier arrangement, the departments exercise extensive control over the communes than in the other experiences we have come across.

The experience have (before 1982) is very relevant to the Nigerian experience before the 1976 Reform.

5.0 SUMAMRY

Having completed this unit, the highlights could be said to be as follows:

1. France operates a unitary system and this makes control over local government enormous.
2. Even though the mayor of the communes has a lot of initiatives, the Department exercise extensive control over him especially that his action inmost cases has to be intra-vires.
3. The Department is the major unit of local government and under it are Arrondissements and Cantons. The primary level in this multi-tier system is the Commune. Note Communes can be both municipal or rural.
4. The local authorities have a deliberate body headed by a mayor or chairman who has wide ranging powers but whose powers are often monitored by the Prefect (Secretary General). He is however subjected to his council and implements council's decisions. The council acts as a check on the chairman.
5. The Reforms of 1982 brought in more devolution of powers and so it is properly tagged the decentralization reforms. The main feature of this is that is waters down the powers of the Prefect and increase council control of local affairs. The chairman is largely a policy maker and political leader while the Prefect is charged with daily administration.

6. French local governments performs not too different functions from earlier ones in Britain and the U.S. Education, works, building and roads, Rates & Police are the major functions. You may have noticed however that there is much talk about budgeting approvals, supervision and control.

5.0 TUTOR MARKED ASSIGNMENT

QUESTION

Why are Departments and the Prefect have remarkable features of French local government administration?

ANSWER – Should provide the following:

- Department as the effective unit of local government in a multi-tier system
- Highlight functions and powers of the Department especially its power and control allocation and approvals.
- Prefects as appointees and representatives of the central government before 1982, their wide powers.
- Powers of Prefects over councils, in the appointment of sub-prefects, in approving budgets. Also his contributions.
- Situation after 1982 (Please highlight the role the Prefects under this).
- The region as the new coordinating body.

6.0 FURTHER READINGS

S. Humes & E. Martin, The Structure of Local Government Throughout the World Pp310-341.

J.A Price, Comparative Government Pp 249-253.

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UNIT 11

STRUCTURE & FUNCTION OF LOCAL GOVERNMENT IN INDIA

TABLE OF CONTENT

1.0	Introduction
2.0	Objectives
3.1	Structure, Composition & Power of Rural Municipalities
3.1.1	Panchayats
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3.3	Urban Councils (Composition and Functions)
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1.0 INTRODUCTION

India like the United States of America operated a Federal system of government. The expectation therefore is that devolution should occur at the local level. States exercise some form of control but this is at the level of the District, some measure of autonomy to control funds and run services.

In this unit you will be introduced to the major units of local governments in India, their structure, functions and composition. You may at the end start thinking of any general observable pattern of local government in federal settings. This will later on be strengthened by the Nigeria system which is also a Federal system.

2.0 OBJECTIVES

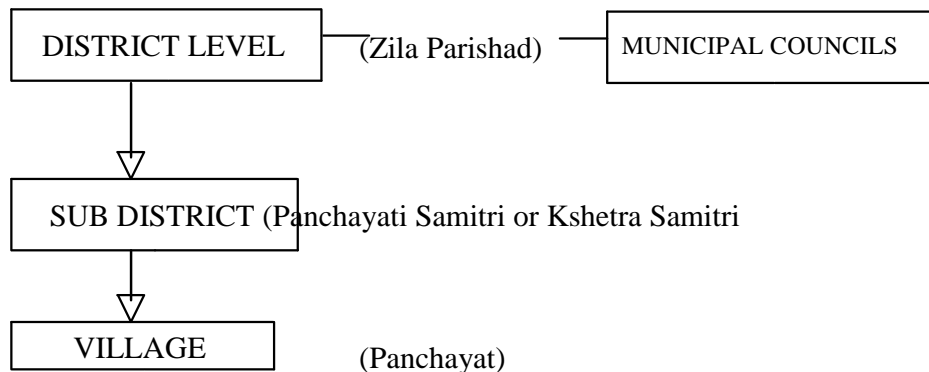
By the time you complete this unit you should be able to:

1. Identify the major units of local government in India and describe their composition
2. Explain the relationship between these units.
3. State the functions of these units

STRUCTURE/COMPOSITION AND POWERS

Local government in India operates a 3-tier system known as Panchayati Raj. This actually sums up what an author refers to as a “synthesis” consisting of the three levels of the Districts, Sub districts and the Village levels. Locally they are referred to as the Zila Parishad, the Panchayat Samitri (or Kshetra Samitri) and Panchayat respectively. They are normally according to descendant order of authority.

This is represented in diagram below.



These units were actually created as a result of the Balwantrai Mehta Committee which suggested a 3-tier system of local democratic decentralization of powers. The premise for this idea also laid in the fact that the constitution after independence was based on the plural nature of the India society, including the realization of the villages (which house 80% of the population) as the basic springboard of democracy. Added to this is the fact that the India Government Act of 1935 had offered autonomy to the Province s (now States) which in turn gave further impetus to development of local self government which in turn was foundation of independentceitself. Such right hand to be further extended to the grassroots for the reason stated earlier on.

ACTIVITY 1

QUESTION Draw the structure of local government in India

ANSWER - SEE 3.1

Let us now look at the working of these units in ascending order of their authority.

3.1.1 PANCHAYATS

This is basic or lowest unit of local authority in India. Ordinarily they are to be equated with villages which could be as large as 2,000 people and above. The major aim of this unit is to involve the people in government right from the grassroots level. Apart from this basic political function, there is the planning and functional dimension. The basic political arrangement is that the village Panchayats is constituted on universal adult suffrage. There is some form of direct election into the village council but any other election to the higher authorities (Smatia and Parishad) are based on indirect or secondary elections. (Mention must however be made of move by some states to have the higher authorities elected directly). Therefore there are variations in pattern. Normally, the Chairman of the village council becomes and ex-officio member of the Kshetra Samiti.

Furthermore, at the Panchayats level there is the meeting of all members in the village normally known as the Gram Sabha. It is normally consulted by the Panchayats on proposed budgets and plans for development especially agricultural production. Such plans are supposed to guide the village for a particular period of time. It is also consulted on progress of work over a period of time. This body meets periodically for 2-3 times a year or as occasion demands.

There is no gainsaying that this level is the least financially equipped and even their Secretary, is hired and paid from state coffers, or seconded by the District Council. This staff acts as liaison between the state and the village in the collection of revenue and maintenance of records and other documents. Departmental officers also monitor the activities of these Panchayats.

The Panchayats have judicial powers, but of a very limited nature. These are in the areas of minor thefts, trespassing, encroachment on public property and civil suits up to a few hundreds of rupees. Infact, a Special Council, Nyanya Panchayats or Adalat Panchayats whose membership is elected from among Councillors of 4 or 5 villages may decide minor dispute involving cattle trespass, theft hurt or gambling.

3.1.2 PANCHAYATS SAMITI

This is also referred to as Kshetra Samiti. It is a form “middle council”. Comprising a block or group of villages. They are more functional than political. Duties include more of execution of policy from districts and supervision of village activities. The population of such clusters of village or the Samitis could range from 60000 and 3 million.

As pointed out earlier, the Councils are constituted democratically, through the elected representatives of village on mostly indirect basis (i.e. from the Panchayat). Their major function is sharing in development activities concerned with improving agriculture, forestry promotion, cooperatives, small industries, provision of educational, medical and public health services.

In terms of staffing, the Chief Executive Officer is the “bloc development officer” who acts as Secretary to the Panchayats, and responsible for ensuring that decisions of Samatri are carried out. He in addition coordinated the activities of the various departments.

3.1.3 ZILA PARISHAD

This is the colonial districts, basically carved out for the purpose of revenue collection and maintenance of law and order. It was inherited and adapted to suit post-independence structure. (It shares the same experience as in the Tanzania case for example). It is the most viable level of local government which works through the other tiers for grassroots development and revenue generation. It is also a vehicle for state government’s presence in the rural area. The district therefore is important for development and administrative purposes. Apart from these, it is also important as a representing body. It is the main local government council harbouring representatives of the Panchayats, through the samiti to te Districts. It can therefore be said to be an integration or synthesis of local democracy and administration, the embodiment of the unequal trinity – the Panchayats Raj.

Member of this body are elected either directly on the basis of universal adult suffrage or indirectly, for terms varying from 3-5 years. Such members could be between 20-40. They could also include co-opted or association members in that area who may not speak but vote. The Council could meet not less than 4 times a year or as often as possible. The president of the Council is chose from within the Council in line with the cabinet system at the Federal and State levels.

The major activity of the district is to meet, formulate and deliberate on plans and proper utilization of resource and supervision and inspection by districts

level officers of the various departments. Government or administration at this level could be organized through Committees.

Its principal activities could also include construction and maintenance of roads and bridges and provision of education, mainly at the elementary level.

In its general administration, it exercises a lot of control over the units below it. For example, the Zila Parishad has power over grants going to Panchayats Samiti and the latter over the Panchayats. Zila Parishad in every instance coordinated and supervises the work of the Panchayats Samiti in area of submission of budgets, of detailed development plans and of periodic progress report. Also, in administrative terms, the general administrator namely the collector, or Deputy Commissioner, the Senior Officer at the district level, is regarded by many as “the eyes and ears of the government”. This is in tune with what happens in other developing where as a point of interest to government, effective control of the grassroots, is through its appointed agents, be he Secretary of Commissioner at that level. Needless to say it is a colonial tradition. (Even the French have watered down powers of the Prefect considerably as seen earlier).

The technical officers at the district level are responsible for ensuring that in the Panchayats Samitis, both executive and technical departments are functioning efficiently and carrying through the programs properly. Maddick sums up this administrative integration and control when he observed:

Thus the framework exists through common representative, coordinating power and official hierarchy to bring together all three levels into a coherent system of local government and administration.

ACTIVITY 2

QUESTION - What are the major roles of village councils?

ANSWER

- a) Political functions – political involvement of people, and mobilization for development purpose.
- b) Planning functions and rural development

In both of these cases, especially the latter, the Panchayat executive, consults the Council of elders (Gram Sabtia)

3.3.2 FUNCTIONS OF THE PANCHAYATI RJ

Apart from the specific function mentioned of each; there are certain general functions which are performed mainly by the Zila Parishad. There are functions found in any other setting in any developing country. These include all aspects of agricultural programmes affecting the former directly, animal husbandry, buildings and communications, education, administration (including secondary education), fisheries forestry, small scale industries, irrigation, medical services, public health, social education and welfare and the collection of all land revenue.

Many of these functions are handled by the district level while the minor ones are devolved to its subordinates. In some cases subordinates are just used to execute these.

3.3 URBAN COUNCILS (COMPOSITION AND FUNCTIONS)

There are over 300 urban municipalities in India. While some could be as large as some State capitals, others are either medium or small cities. Urban municipalities are also democratic entities and administration is either through a Council, Committee or Board. Election is based on adult suffrage on a single member constituency. The duration of council could vary from between 3-5 years. Such councils consist of Chairman and members. The Chairman could be Mayor or President, elected from Council among its own members for between 1-5 years. He provides leadership but cannot override Council as in many urban councils. He could either be removed by a vote of no confidence of 2/3 (two-thirds) of council members, or by the Government. This is the parallel of the cabinet system at both State and Federal/Union levels as regard the democratic practice of removal. The other aspect of removal by state government is common with third world countries. The experience is also similar in District Council.

Urban municipalities are viable because of their human, material and financial resources. So also because of their strategic locations. They perform great tasks which could be both obligatory or discretionary. The former could include conservancy, street lighting, drainage, and construction and maintenance of road. Some larger ones in addition to the above embark on water supply, street cleaning and disposal of refuse and prevention of epidemics, while very large ones engage in additional functions like fire fighting services, health, markets, slaughters and primary schools.

Discretionary tasks include public concerts, public parks, gardens, museum, libraries, halls rest houses, tree planting along roads, construction, or purchasing and maintenance of short distance railways and runways, providing public housing, city plan, land reclamation, census and surveys, relief grants, health care for the mentally ill.

From this listing one could see that areas above the capabilities of local governments in certain other developing countries discussed in this work be ventured into by urban councils here. Even in Britain, rail management is provided by British rail. Perhaps we can say at this juncture that ~~those~~ **those** functions could be there the prompting of certain ambitious councils. It may also depend on the national fiscal arrangement.

Broadly, urban councils perform both representative and administrative functions. At the political level, these councils make bye-laws, vote taxes budgets, sanctions above certain amount and appoint higher municipal employees. Administratively, they function through statutory and “permissive Committee” which closely supervise the day-to-day functions of municipal operations.

4.0 CONCLUSION

You have just gone through the structure of local governments in India. These structures or local units are taken very seriously because of the rural development focus of government. Community and rural development is top most in federal and state governments plans and in as much as these are democratic structures. They are seen much more as instruments of change in rural areas. The colonial three-tier structure has lasted this while and has become very functional. In keeping with the rural development focus over the years, the Panchayats have been turned into centres for agrarian development. Human resource development and mobilization has become the cardinal strategy of India local governments.

Note that urban councils in a developing setting like India also undertaken gigantic functions like short distance railways and support, public housing, land reclamation, census and other surveys. This tells you the rate at which urban councils have grown (i.e. in complexity)

5.0 SUMMARY

Having gone through this unit, we can try to recall some of the **highlights** of the unit together, as follows:

- The major tiers of local government are the Zila Parishad, the Kshetra Samitri and the Panchayat. These are District, Subdistrict and Village councils respectively. There is also an Urban Council which is single tier in nature. The government system is known as the Panchayats Raj.

- The councils or executives of these councils are elective. At the Panchayat level is the village council. Members from here represent the Panchayat at the village at the subordinate and districts levels (secondary election). The chairman of the village council is however an ex-officio member at the next level.
- The Samiti contains a group of villages and they are more functional than political.
- The Zila Parishad is the most viable and highest level of local government. It works through the other tier- of local government for grassroots development. The council is elected for a tenure of 3-5 years and the system of government is parliamentary.
- There are 300 urban municipalities in India, some of which are as large as state capitals. The administration is either through a council, committee or board. The Mayor or President runs the council in a cabinet or parliamentary system.
- Functions of the Panchayat Raj ranges from agriculture, to education (including secondary) to economic functions like small scale industries and revenue collection (especially land revenue).

6.0 TUTOR MARKED ASSIGNMENT

QUESTION - Identify the main features of the Zila Parishad as the main unit of local government administration in India.

ANSWER - Your answer highlight the following

- Parishad as a former colonial district transformed
- Main purpose is for law and order, revenue generation and rural development. Also important for administrative purpose.
- The councils and executive are elected (Say little about its composition and operations).
- Major activities – Formulate plans, proper utilization of revenue, supervision of its implementation by district level officers. Plans implemented using the lower tiers.
- exercise control over the province (Department) as the representative of the central government in the Department. This is his source of sweeping power over mayors and councils.

7.0 FURTHER READINGS

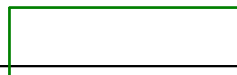
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UNIT 12

STRUCTURE AND FUNCTIONS OF LOCAL GOVERNMENT IN TANZANIA

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1.0 INTRODUCTION

You have just been introduced to the structure and functions of local government in India. You are also about to be introduced to the same exercise on Tanzania which another developing country. The only difference is that Tanzania operates a Unitary system of government. India parades a history of successful democracy while Tanzania has gone through a history of one-party democracy and highly ideological leadership an state especially the Nyerere era.

In this unit, you will come across the ideological basis for local government structure, composition and how it operates. You will also encounter cases of deconcentration associated with most Unitary systems (and more especially as conditioned by the ideological structure).

The discussion will be organized into local government before the Arusha Declaration of 1972 and after.

2.0 OBJECTIVES

By the time you go through this unit, you should be able to do the following

1. Identify the structure of local governments and their functions before 1972
2. Describe the major changes that took place after 1972
3. Explain the role of ideology and party machinery in local government administration during these periods.

3.1 THE SETTING

Tanzania, a Union or federation between Tanganyika and Zanzibar, became independent in 1961 from British colonial rule, even though the actual union took place three years after independence. With such a Union, Tanganyika the senior and mightier partner, produced the President while Zanzibar the Vice President (at least to start with).

Tanzania may not be a rich country but it has produced a main man of Africa, a talented and progressive leader, full of ideas and ready to go, unfortunately constrained by both internal and external forces. Before we go into an exploration of this, let us go through a political structure/administration configuration of the country and the place of local government.

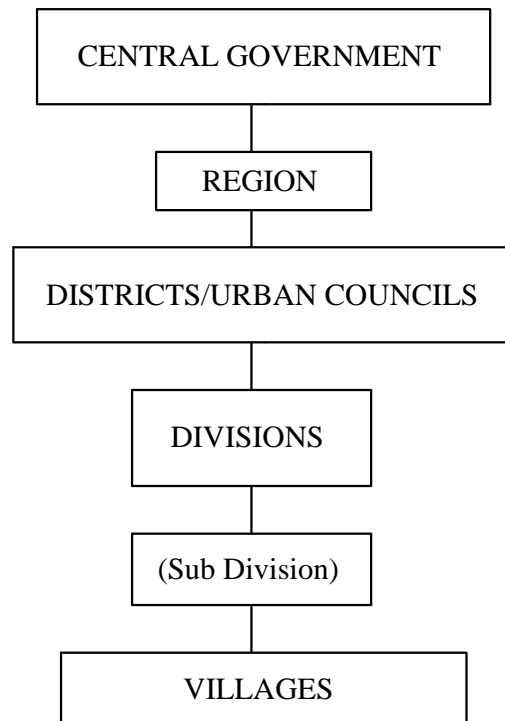
A one-party state, just like its Chinese and Soviet counterparts, the Party was government and government was party. So every activity of government, every idea and every structure was either informed by or governed by party ideology.

Structurally, there is a Central government in Dar-es-Salaam below which are Regions, then Districts after which come Division and Villages. At least this was the position before Arusha and much of this was also retained even after Arusha. There is a unicameral parliamentary legislature at the centre while each of these units except perhaps the regions is democratically constituted. As pointed out above, the Tanganyika African National Union (TANU) is the sole party and the principal unifying force within the country. Politically, Tanzania has gone through three phases in its post-colonial history viz-pre-Arusha, Arusha and post-Arusha. These coincide with different ideological phases viz-capitalist, socialist, that have taken place in local governments and what modalities and objectives for such changes.

The model local government system is discussed under the first era while changes to these are flashed under the other experiments.

3.2 LOCAL ADMINISTRATION BEFORE AND DURING ARUSHA i.e. THE SIXTIES

The following is a diagram of the structure of local government before being restructures in 1972.



The effective nucleus of local government is actually the District. Above districts are Regions, 17 in number. Regions are more of coordinative and planning bodies with no elected representatives but with some controlling powers. They are headed by regional commissioners who in most cases is the regional Secretary of TANU, (Does this remind you of French government?).

Altogether there were 60 Districts in Tanzania with a distribution of two to six in each region. This is the effective seat of local government administration even though subject to the Regional government. For Urban Councils there are 15 of them. The style of administration in Dar es Salaam and Tanga Towns are based on different sets of laws – modeled after English local government.

Division, (Subdivision) and villages operate below districts for planning purposes, welfare and other basic functions. Of course the villages are the most natural entities out of these, while the rest are either artificial creations or done for administrative convenience.

The structure as it looks could also have some coincidence with traditional native authorities and rulership but after independence and especially under the guidance of TANU, these structures were either removed, ignored or where irrelevant, retained and modernized to suit the post-colonial drive for development.

ACTIVITY 1

QUESTION *Draw the structure of local government in Tanzania before 1972.*

ANSWER *Refer to 3.2 for the structure. Try to identify the tiers of local government.*

3.2.1 ELECTION AND COMPOSITION OF COUNCILS

Local governments, rural or urban are divided into wards, from which representatives are elected into Councils. List of candidates are however drawn up by the local TANU while the President has powers and do actually appoint ten people into the Council, mostly TANU district executive committee or civil servants. The local TANU leader becomes the Chairman of the Local Council on even ex-officio basis. Such exercise of power replicates the process at the other subordinate levels. At the Regional level however, the picture is much different. Because its major function is administrative i.e. Development Planning, its composition is that of a combination of Party Secretary, members districts Chairman and experts. Local governments can therefore be said to experience little democratic experience under an arrangement where list of candidates are pre-prepared and imposed. This of course is typical of one-party States

ACTIVITY 2

QUESTION *What is the composition of a typical planning committee for local government?*

What is your comment on such composition?

ANSWER

- Regional commissioner (as chairman)

- All members of the Finance Committee
- All Departmental and technical offices in the Districts
- Cooperative Society officials
- Area chairman of TANU
- Executive officer of the council (serves as a Secretary)

Comments

1. It is integrative – i.e. both society government and party officials.
2. Both Chairman and Secretary who are TANU members are there to ensure government and party position especially the ideological direction.
3. It is subject to excessive control and policing

3.2.2 ADMINISTRATION AND FUNCTIONS

Council normally is the highest authority in the local level but subordinate authority is subject to that above it and entirely dominated in complexion by the TANU party at that level – a sort of “dual subordination” as in the Socialist States. (More on control will be visited later-on)

The bureaucracy of the local government is headed at the district level by the Head of the Administration sometimes referred to as the Executive Officer (who is directly in charge of personnel and administration. His counterpart at the Urban Council is called the Town Clerk (as in Britain). However, the rest of the Departmental Heads are the representatives of the various central government ministries serving in the District. This personnel system may cut overhead costs as an advantage but could create problems for local control.

At the Divisional level, the Executive Officer is appointed by the District Council with the approval of the Regional Commissioner, while as assistant divisional officer takes charge of the subdivision. Village executive officers are also appointed by the district to take charge of village administration.

The major function of these tiers of local government right from the region to the village, is planning. As such, there are Planning Committees replicated at each with a hierarchy of authority and accountability in this Development and Planning Committee become all too important in rural areas. The major function is to draw up budgets or annual development estimates which must be approved by council. On the other hand, these planning committees supervise projects through the various local committee i.e. right from regional to village level. Such plans must in the first case pass through the estimated line of authority with much vetting done at the District

planning committee level and “much politicking” at the regional even central government level.

A typical Planning Committee could include the regional Commissioner as Chairman, all members of the finance committee, all departmental technical officers in the district, cooperative society officials, the area Chairman of TANU and the executive officer of the council who acts as Secretary. Such composition depicts politics, administration, expertise at work but showing of course the overriding dominance of the political with both regional Chairman and Secretary (both TANU official) at the core.

Other functions local governments perform are social and education (especially in the rural areas which are quite incapacitated by finance and personnel). District Councils undertake roads, apart from trunk ones (for which grant is received. This is apart from the approval of plans from development and planning committee from below.

Much of the activities and administration of the Councils are carried out through committees. One of it has been mentioned. Others could include finance committee. Central government officers serving in such area could be coopted into these standing committees. They normally make recommendations to council from time to time.

3.3 “POST- ARUSHA” LOCAL GOVERNMENTS: MAJOR CHANCES (i.e. THE SEVENTIES AND AFTER)

In 1972, the blue- print of political reorganization began to receive actualization on the ground, especially with the Decentralization of Government Act 1972. This abolished the old Local Government but transferred many of the functions previously performed by national ministries to regions and districts where former local officials plus technical officials continued to serve as member of the national civil service. Administration therefore became four tier-with the President and his Ministers dealing with issues of national and international scope while local administration because the prerogative of regions, Districts, wards, villages. The regional districts levels were headed by commissioner assisted by development directors (to promote Ujaaaa). Wards and villages were served or headed by Party Secretaries.

As pointed out above, the new structures were meant to decentralise power to the people. As much instead of the usual administrative and bureaucratic structure interlocking with the party structure which was often in conflict, these were put strictly under party leadership and control and a structure, sort of, evolved. This was necessary because this phase of

socialism was a fused to be the new villagization or Ujamaa. The aim of such an exercise was to allow villages to pool resources together to be able to attract funding and become more viable and productive. Human resources would also be available for translating resources into service through such an experiment.

As would be experienced, such radical changes would move hamlets from their natural habitat to join more viable ones came to be highly resisted because, at the end, inspite of the development prospect, some element of artificiality would result. Literature abound on the Ujamaa programme and its successes and failures. The major failure of the programme however arose from the limited funds of government, apart from organizational problems.

So the elaborate plan of Nyerere in the 70's to succeed, had to be village oriented/centred a local democracy with some local autonomy. Organizationally, and following from the structure already discussed, there is the Village Development Committee consisting of 25 members chaired by the Party Secretary. Decision from here passed to the Ward Development Committee for approval, then to the District Development Committee (to be received) and approved by TANU executive committee). From here it passed to the Regional Development Committee and then to the Prime Minister's Office. The approval plans are then implemented by regional and district development directors.

The difference in the system of the 70's was not much from what existed. As earlier indicated, the difference is in the area of invigorating the level of participation at the village, ward and district levels specially the first, but it appears the influence of the rural-village man stops there. As can be seen the same bureaucracy and control are evident by party and the service. It is not just enough to give the people more say. It is not an end in itself, especially when their input has no way of passing through bureaucratic and political channels unmultilated. Even with the introduction of Ujamaa as from 1973, with the demarcation of 250 families, and with its voluntary and coercive results cannot register themselves where power is not located where these results are supposed to be shown, which does not take us far the Arusha stage. It meant there was still something fundamentally faulty with the society. The system of local government still required some shake up.

3.3.1 FURTHER CHANGES

After some stock-taking over the last decade i.e. the 70's the leadership on another reform in 1982, it became glaring then that neither the system of ideology, nor the structure it created nor the system of government worked.

The major functions are as follows:-

- all major existing laws on local government were replaced by new legislation (including the 1975 Law on Villages) showing the admission that accelerated development via Ujamaa had failed.
- Urban and District Councils resurfaced
- Regional Development Committee survived and was to be "coordinative" and "consultative" in role
- Urban Councils were to become more democratic, thus terminating some ex-officio and regional nominees and even the power of the regional Commissioners on these councils
- Rural District became multi-tier-Districts, Wards and Villages. Wards were for planning purpose so also were Villages and their activities responsible to Districts
- Districts could establish Town Authority while three of its members must be part of the Town executive.
- District Council became the only local government or body with sufficient finances to employ its own fully qualified staff.
- The composition and administration of these various Councils are laid out.
- On staffing, experienced staff were recalled while others were seconded to the new councils. A Unified Local Government Service like one of the 60's was adopted.
- Note also that the President retained the power of appointment of chief executive officers urban councils while districts councils could exercise this under the advice of the Local Government Service Commission.

4.0 CONCLUSION

The Tanzanian experience has been interesting not because of the fluctuating changes but because the ideological option which was supposed to remedy the system crumbled under a supposedly charismatic leader and a socialist system. However the structure of local government reflected the ideological and party structures. One sees control of party and ideology through district down to village councils. Such controls were so excessive that it did not give breathing space for local energies to be released for development.

Nevertheless the impact of ideology on such structures and the development process has been a high level of mobilization and especially political

education and participation. There was mass awareness of both the ideology and the party structure and this worked for mobilization of the people. The problem has been that such mobilization did not translate into much of concrete development. Other variables outside the subject under study (like finance) may be able to explain this better.

5.0 SUMMARY

Having gone through this unit, the following may now occur to you as some of the main features.

1. Tanzania operates a unitary system and therefore the experience here is more of deconcentration than devolution.
2. Ideology and the single party system impact heavily on the structure and functions of local government in Tanzania.
3. Tanzania operated a multi-tier system of local government – District/Urban council. Division and villages with changes after 1972
4. Councils were elected with local TANU leader taking charge of the local council as Chairman
5. Major functions of Council include planning, drawing up budgets, social services and education, roads and rural development.
6. Greater decentralization was attempted as from 1972 since more functions were transferred to them while transforming local governments into 4-tier structure with the addition of Regions. Such decentralization was an evidence that the Ujamaa programme has failed.

7.0 TUTOR MARKED ASSIGNMENT

QUESTION *Highlight the major changes brought by the Post Reform of 1972 (i.e. before 1982 reform)*

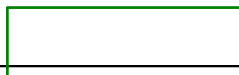
ANSWER - *Should include the following:*

1. Need for reform (Please state reason for the failure of the pre 72 system)
2. Change to 4-tier system
3. Reinforcement of leadership of villages and wards
4. Policy of villagization (Ujamaa)
5. Bureaucratization was still high – Village Development Council takes decision and this has to pass through different layers up to the Prime Minister Office.
6. Failure of Ujamaa and reason for that.

7.0 FURTHER READINGS

S. Humes & E. Martin ed., Local Government in the 20th Century, The Hague, 1963, Pp 299-300.

P.M. Whool, "The Search for Participation in Tanzania" in P. Mawhood ed.: Local Government in the Third World: The Experience of Tropical Africa (John Wiley and Sons, New York, 1987).



UNIT 13

STRUCTURE & FUNCTIONS OF LOCAL GOVERNMENT IN NIGERIA

TABLE OF CONTENT	
1.0	Introduction
2.0	Objectives
3.1	Single Tier Structure
3.2	Political and Administrative Structure
3.3	Functions
4.0	Conclusion
5.0	Summary
6.0	Tutor-marked
7.0	Further Readings

1.0 INTRODUCTION

A third of the Federal system to be considered after US and India is Nigeria. We expect the level of decentralization to be high. In Nigeria it has been a vicillation between deconcentration and devolution, but since the landmark 1976 Reform of local government, these units have become more of a devolution especially and ironically even though military administration.

In this unit, you will be introduced to the structure of local government especially since 1976. Both political and administrative measures will be given attention. Functions are elaborately presented, classified and discussed.

At the end of the unit, you will have a further chance to consider the pattern that still emerge from a federal structure.

2.0 OBJECTIVES

At the of this unit, you should be able to do the following.

1. Explain the single tier structure of local government in the Nigeria local government system.
2. Present the administrative structure of Nigeria local governments in a diagram (both for the 1976 structure and the 1998 structure)
3. Compare the political structure of 1976 to that of 1991
4. State the mandatory and concurrent functions of local government in Nigeria and comment on what differentiates them.

3.1 SINGLE STRUCTURE

The 1976 Reforms explain this as follows.

All the statutory and public service functions of local government in Nigeria should be concentrated in multipurpose single tier institution called local governments with complete and self-contained budgets so that the whole system of local government within any area can be identified, costed and coordinated.

It also went to say this:

“The term “tier” is used in this context as meaning a set of local government with their own identity, powers and sources of revenue established under State legislation and with functions for which they are responsible to the State. Subordinate Councils which are created by them and derive their funds by allocations from the “present” local governments do not comprise a separate tier but are part of the tier comprised of the parent local government

Such local government should serve populations of between 150,000 and 800,000.

The idea about the single tier structure here is that no unit created under the basic local government structure is recognized legally. They are just for administrative convenience.

ACTIVITY 1

Identify 5 main features of the single- tier structure of Nigeria government as defined by the 1976 Reform:

ANSWER

1. To perform in a concentrated manner statutory public service functions
2. Complete and self contained budgets
3. Subject to State legislation
4. Subordinate Councils created by them are for the purpose of administrative convenience and not a tier
5. Should range between a population of 150,000-800,000

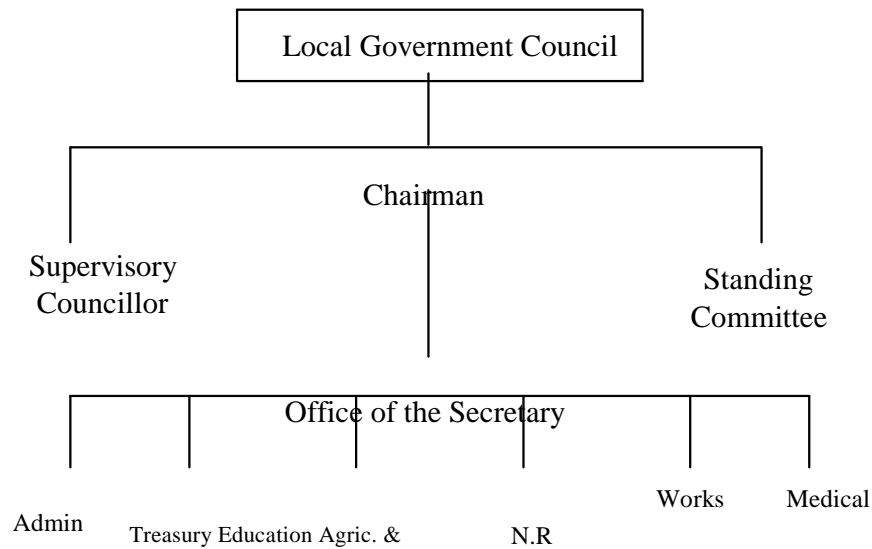
3.2 POLITICAL AND ADMINISTRATIVE STRUCTURE

Local governments have come to have similar structure and perform similar functions since the 1976 Reforms. This is because the Reforms emphasized and standardization throughout the federation.

The 1976 structure, which endured up to early 1991 with (little modification) can be divided into two, viz political and administrative structures. At the top is the political structure consisting of the Local Government Council and Chairman followed by the Committees and Supervisory Councillors, then the Office of the secretary to the Local Government and the Departments. Normally, the departments operated in sections and units in 1988 there was a Reform that broke them down into Divisions, Branches and Sections. Under the 1976 Reform, the parliamentary system was the vogue but even then the Chair man of the local government was picked out of 3 nominees of Council by the State Governor. He presided over Council in both legislative and executive capacity. He was responsible to Council but accountable to the Governor who appointed him. The Secretary was however the chief executive and act like a Prefect.

In 1991, with the operation of the Presidential system in local government (and its attendant principles of separation of powers) there was a plurality in the political structure, with even the office of the Secretary political. So, there was the Executive Council, the Legislative Council; Office of the Chairman, Office of the Secretary, Departments (with the Personnel Department exalted among the others because of additional responsibilities. The chairman nominated his supervisors outside Council (3-5 of them). He depended on the Council to approve his budget. Council also made laws for local government. The Secretary as a political figure never enjoyed the power of the former secretaries. The power passed down to the Director of Personnel or administration Department (Such powers include signatory to cheques). Hitherto, the Secretary was part of this.

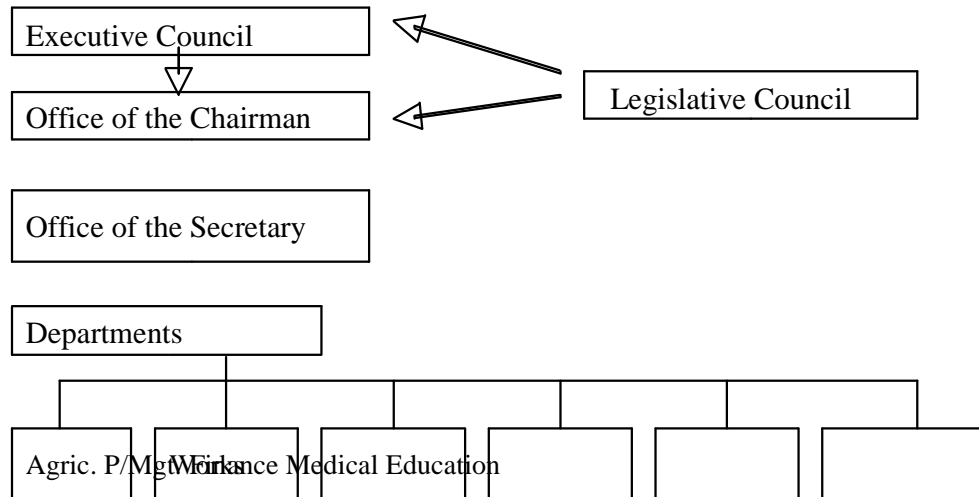
A diagrammatic representation of both structure are as follows.



This structure is typical of a Cabinet system with the Chairman and Councillors belonging to the same Council with a Strong Secretary as Chief Executive.

In 1988 the Civil services reform, changed the nomenclature of the two service Departments of Administration and Treasury to personnel Management and Finance and Supplies respectively. In the 1991 structure below, the Executive Council which is headed by the Chairman operates separately but interdependently with the Legislature Council. This is a President type of structure.

The 1991 Structure



ACTIVITY 2

Draw the structure of Local Government

ANSWER

See structure under 3.2

3.3 FUNCTIONS

Local Governments can be said to perform both mandatory and concurrent functions. The mandatory ones are the ones they have to perform without necessary assistance from higher governments. The concurrent ones are shared with the other tiers of government especially the State Government.

Before commencing on these functions, let itemize them below.

3.3.1 Mandatory Functions

- Economic Planning of the Local Government
- Collection of rates, radio and T.V. licenses;
- Establishment and maintenance of cemeteries, burial grounds and homes for destitute or the inform.

- d) Licensing of bicycles, trucks, (Other than mechanically propelled trucks) canoes, wheel barrows and carts;
- e) Markets, motor-parks and public conveniences;
- f) Roads, streets, drains, public highways, parks, open spaces.
- g) Naming of roads and streets:
- h) Provisions and maintenance of public conveniences and refuse disposal:
- i) Registration of births, deaths and marriage.
- j) Tenement rates or property tax.
- k) Control and regulation of:
 - i) Out-door advertising and hoarding;
 - ii) Movement and keeping of pets of all description
 - iii) Shops and kiosks
 - iv) Restaurants and other places for sale of food to the public
 - v) Laundries.

3.2.2 Concurrent Functions

The functions which a local government can perform with other government especially State are in respect of:

- a) “Provisions and maintenance of Primary Education
- b) the development of agriculture and natural resources other than the exploitations of minerals:
- c) the provision and maintenance of health services;
- d) such other functions as may be conferred on a local government council by the House of Assembly of the State”.

Looking at the mandatory functions, there appears to be a wide range of such functions. Nevertheless, they look very mundane and residual. Of course, this is why local government should perform such functions. Moreover, apart from the functions of economic planning, all other functional items carry a financial implication with it, with the further exception of function (f) on the list, but even then, good roads encourage the opening up of rural areas and markets and hence ability to generate revenue.

The key and major functional area that could generate revenue are rates and T.V. licenses, market and parks and property rating. In the rural areas, markets are the dominant sources of internal revenue while for property rating and markets and parks contribute the most.

While the mandatory functions carry revenue implication with it, the concurrent functions emphasize provisions of certain costly social services.

These are services that do not raise revenue directly. They are investment in human capital. Except for agriculture that produce food on the short run all others produce results that may be more than short term. A lot of money is invested in primary education and health care. It is because of such expenditure implication that these functions are shared with other governments. Of course, if we take a look at local government estimates, most of the money goes into these areas especially education until very recently.

Finally on functions, we should note that certain changes have taken place between 1991 and the present, especially in the area of concurrent functions. For example, a Commission for Primary Education has been set up. The Commission is now responsible for the funding and management of primary education in the country.

4.0 CONCLUSION

Structures of local government in Nigeria have remained fairly stable since the 1976 Reform. More changes have been experienced at the political level because of the different stands of political leadership that run local government administration. At a point it is the parliamentary type, at other point it is the Presidential type. In between, there has been appointment of sole administrators and what is referred to as Caretaker or Management Committees. These to a large extent are undemocratic especially the sole administrator system. Their administration of local government has been least responsive even though they record success at breathing organization and efficiency services into local governments. The administrative structure was only modified by the 1988 civil service reforms and the Presidential System. The single tier structure is still in vogue even though by 1984, the Dasuki Report on local government had recommended establishment of development area which was just for administrative purposes.

Functions have however remained more stable with primary education as the knotty problem area.

5.0 SUMMARY

We give a summary of the unit as follows:

1. Local government in Nigeria is a tier structure
2. Leadership and political structure have taken on several forms as the Parliamentary system, the Presidential system, Sole administrator system and the Caretaker/Management Committee system.

3. The Secretary was the chief executive of local government between 1976 up to the 1988 civil service reforms. After this, the Government Chairman took total charge.
4. The administrative structure of local governments have remained fairly stable with changes coming at the level of the changes in nomenclature of two Departments is 1988 to Personnel and Finance. The Director of Personnel took effective charge of the functions of the administrative secretary when the latter became politically appointed.
5. Functions of local governments have remained stable since the 1976 reform with only education serving as the knotty problem area. The medical department has also changed to Primary Health Care Department and taken up enormous basic health activities.

6.0 TUTOR MARKED ASSIGNMENT

Question: Identify mandatory functions that are revenue raising and those that are service providing and those that are administrative?

Answer: (Your answer should look like this).

Service Providing

- Establishment and maintenance of cemeteries
- Markets, motor parks and public convenience.
- Roads, street, drains, public highways, park open-spacing
- Naming of roads and street
- Provision and maintenance of public conveniences and refuse disposal
- Registration of birth, deaths and marriages.

Revenue-yielding:-

The balance are revenue provision but markets and motor parks is the major source of revenue for local government. Revenue could also be generated by operating the service providing functions.

Administrative:- Planning

7.0 FURTHER READINGS

J.H. Price Political Institutions of West Africa (Hutchinson & Co. Publications. London, 1975)

A. Gboyega, Political Values and Local Government in Nigeria (Malthouse Press Ltd., 1987).

UNIT 14

STRUCTURE AND FUNCTIONS OF LOCAL GOVERNMENT DEPARTMENT

TABLE OF CONTENT	
1.0	Introduction
2.0	Objectives
3.1	Structure
3.2	Functions/ Roles of Departments
-	Department
-	Department of Personnel Management
-	Department of finance
-	Department of Medical and Primary Health Care
-	Department of Agriculture and natural Resources
-	Works Department
-	Education
3.3	Inter-Departmental relationship
3.4	The Role of Key Officers in C oordination and administration of Departmental Activities.
3.4.1	The Secretar y
3.4.2	Heads of Department
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5.0	Summary
6.0	Tutor-Marked Assignment
7.0	Further Readings

1.0 INTRODUCTION

From what we have seen in earlier units, the activities of local governments are carried out by departments. Experiences themselves are organized around a group of related functions. Hence in the Nigerian local government system, there are six departments that take care of the functions of local government three of which address the concurrent functions viz: Agriculture, Health and Education, Feasibility, construction and contracting in local governments are managed by a works departments. Some other departments are more of horizontal as they serve the above four departments. These are personnel Management (administration) and Finance. In the Nigerian local government system, there are therefore both services departments and operational departments (field based)

The structure of the Departments have not changed since the 1976 Reforms. Under that Reform each local government was supposed to set up departments namely. Administration, Treasury, Medical & Health, Agriculture and Natural Resources, Education and Works. Since the 1988 Civil Service Reforms in local government, the names of some of these departments changed. Administration changed to Personnel Management, Treasury changed to Finance, Planning and Research and Statistics (was shortened to Finance), the name Primary Health Care (PHC) has come to take over from Medical and Health, Work has remained unaffected, Primary education has moved out of local government structures and has been replaced by Education and Social Development or Social Services.

Below the office of the department are sections and units (what the 1988 Reform calls division and branches).

Each department is headed by a head of department who after the 1988 reforms were in many local governments addressed as Directors e.g. Director of Personnel Management. Today, the uniformity and standardization in local government has been broken as a result of state control and each state is fashioning out a system for its local government. In spite of this, the structure of departments has still remained untouched.

The remainder of this unit looks at departments, in structure and responsibilities.

2.0 OBJECTIVES

At the end of this unit you should be able to:

1. State the names of the departments in a typical Nigeria local government.
2. List the other structures above those of the departments.
3. Describe the functions of each department (at least about 80% of these functions)
5. Identify the roles of principal administrative officers including the secretary and the heads of departments.

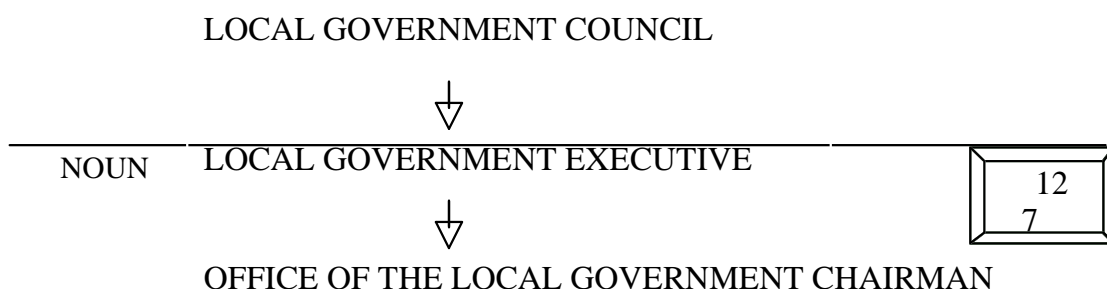
3.1 STRUCTURE OF DEPARTMENTS

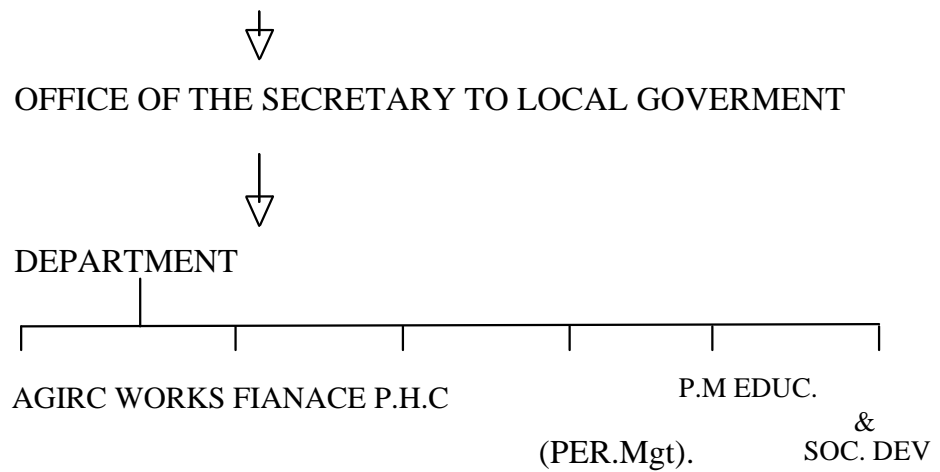
The new and most current administrative structure of a local government today is as follows:

1. The local government council (the highest policy making body) is composed of elected members.
2. The Local Government Executive Committee is composed of the Chairman of the Local government, the Vice Chairman, Supervisory Councilors and Secretary to the local government. This is also referred to as the cabinet of the local government.
3. Office of the Chairman of the local government as the 'centre of Gravity' where most policies and decisions originate from before entering policy making pipeline.
4. Office of the Secretary to the local government as the central unit of coordination of activities of all departments in the local government.
5. Offices of Supervisory Councillors as political heads of departments who are expected to oversee the implementation of policies, decisions and projects already agreed upon by the Executive Committee or the Local Council.
6. Administrative/ professional heads of departments who are in charge of the day-to-day implementation of policies and management of resources in their capacity as officers controlling votes (OCVs) of their departments.
7. Sectional heads who performed the function of technical supervisors on the field or in places where local government and departmental activities take place.

I. LOCAL GOVT. LEVEL

These structures can be shown graphically as follow:





II. DEPARMENAL LEVEL

SUPERVISORY COUNCILLOR



HOD



SECTIONAL HEAD

NOUN



STAFF AND OFFICERS

12
8

ACTIVITY 1

Name the 6 Departments to be found in Nigeria local government today.

ANSWEER

1. Personnel Management
2. Finance
3. Primary Health Care
4. Agriculture and Social Welfare
5. Education and Social Welfare
- i. Works

3.2 FUNCTIONS/ROLES OF DEPARTMENTS

A sketchy outline of functions assigned to each department in a local government is as follows.

1. Department of Personnel Management is responsible for maintenance and updating staff records with regard to date of appointments, promotions, salary, disciplinary action taken (if any), resignations, retirements., transfers, etc.
- 3 preparation of necessary documents to pay gratuity, pension and other benefits to local government staff retiring, resigning, transferring and of those who are dead.

- 4 arrangement for staff training and development such as recommending staff for further training, seminars and workshops.
- 5 placement of newly appointed staff members into the service of the local government.
- 6 appointment, promotion and discipline of staff on salary Grade Level 01-06.
- 7 recommending of staff on GL 07 and above to the Local Government Service Commission for promotion or disciplinary action. Recommendation for promotion is based on each staff member's Annual Performance Evaluation Report written on him by his head of department.
- 8 ensuring that some welfare services are provided to boost the morale of Local government staff. Examples of such welfare services include medical care, housing, transports, recreation and sporting activities.
- 9 preparation, processing and approval of papers for annual leaves, maternity leaves, casual leaves and leave of absence for a ~~period~~ of time.

2. Department of Finance, Supplies, Planning, Budgeting, Research and **Statistics: As the name implies, this department is the most multifunctional in local government** Before 1988 it was called the Treasury which was principally responsible for the collection, disbursement and safekeeping of funds and documents relating to financial transactions. It was also responsible for the preparation of annual estimates and Development Plans for the local government. Today, these functions have increased to include research and statistics. In specific terms, the department is today responsible for;

- a) collection and safe-keeping of revenues for the local government;
- b) keeping relevant financial records, books, receipts, vouchers and accounts;
- c) preparation of accounts and statement of income and expenditure, daily and monthly abstracts and annual accounts;
- d) safe-keeping of materials, stationery and software for the day-to-day running of the local government affairs;
- e) Preparation of development plan and annual budget based on data generated from research work;
- f) arrangement for research work on social, political and economic problems and potentials of the local government area and its people, as basis for annual budgets, policy making plans and decisions. (note this it goes along with other departments:)
- g) processing and storage of data, statistics and information in any form for use by administrator, professionals and policy makers.

It is in line with these functions and those of the Personnel Management Department that the guidelines for the Application of the 1988 Civil Service Reform in the local government stipulates that:

Administrative Officers formally in general administration shall specialize in one area of management e.g. Personnel, Planning, Budgeting, Finance, Research and Statistics, which will enhance their deployability into any of the common management departments of local government.

3. Department of Medical and Primary Health Care: This is one of the four operations departments reflecting the basic functions and areas of concern of local government> It is charged with responsibility of providing:

- Preventive health services like sanitation, public health, education and enlightenment and immunization;
- Curative (medical services) like health clinics, dispensaries, maternity centres, leprosy clinics, ambulance.

To carry out these functions effectively most local governments in Nigeria today (especially Area Councils in the Federal Capital Territory) are having medical doctors as heads of the department. Other medical staff like Nurse, Midwives, Pharmacists and Laboratory Technologies are employed by most local governments to man their health institutions.

4) Department of Agriculture and Natural Resources: This department is most relevant in rural local governments where farming, fishing and keeping of livestock are the most predominant occupations of the people. The department is having large subdivisions, sections and units relevant to local government major areas of concern. Each subdivision is headed by a professional in his own right. Broadly speaking the department is divided into the following functional areas.

- a) Agriculture, under which have
- a) extension services:
 - b) seed multiplication and distribution
 - c) tractor hiring services
 - d) land clearing and allocation for farming
 - e) irrigation, dam construction and soil conservation
 - f) fishery

2. Livestock, where we have
- 1. veterinary services for animals and birds

2. poultry keeping
 3. maintenance of grazing land and earth dams for animal consumption
 - c) Forestry, which includes nursery, horticulture and keeping of orchards or forestry reserved areas to produce woods for plants, firewood and material for building houses.
 - iv) Home Economics and Management mainly for women to learn handicrafts and management of domestic affairs, sewing, pot-making carving. etc
5. Works Department: This department is responsible for a variety of technical and highly skilled jobs such as:
- vi) Maintenance of old buildings and construction of new ones. Such building include offices for local government staff, resident quarters, primary schools or classrooms, dispensaries and health centres, market stalls and shops motor park walls and fences round local government secretariat
 - vii) Roads (feeder roads) construction, rehabilitation and constant maintenance:
 - viii) Water supply through sinking of boreholes and digging of wells and their maintenance, plumbing work, repairs of hand-pump and maintenance of pumping engines.
 - viii) Maintenance of vehicles (official vehicles) by mechanics, and electricity generating plants by electricians.
 - ix) Street lighting and extension of electricity supply to repair of a local government area.
5. Education and Social Department : With the granting of semi-autonomous status to the former Education Department of each local government, a new Department of Education AND Social Development was created since 1994. The new department now takes care of:
- a) Adult Education and Literacy Classes;
 - b) Community Development;
 - c) Women and Youth Development;
 - d) Social Welfare.

ACTIVITY 2

How many sections are there in the Agric. Department?

(Name them).

ANSWER

- a) Agriculture
- b) Livestock
- c) Forestry
- d) Home Economics

3.2 INTER-DEPART MENTAL RELATIOSHIP

All departments in a local government are closely related to each other functionally and informally by individual charged with their operations. A few example will illustrate this point.

The Personnel Management and Finance Departments are called service departments of the local government. Personnel services like training and staff development, promotion, discipline, welfare, pension and gratuity just to mention a few out of all other departments. Similarly, the Finance Department takes care of wages and salaries and payment of allowances to all members of staff of all departments in the local government.

In the day-to-day administration of each department reference could be made to officers of other departments in for of letters, internal telephone, calls, minuting in file and other means of administrative communication for classification of points, as requests for more only. Without theses relationships many actions cannot be taken and so the affairs of the local government become difficult if not impossible to run.

Relationship between departments is also maintained through meetings to discuss common problems and solution such as shortage of staff, shortage of fund, indiscipline of staff, procurement of equipment for common services, reception of very important personalities visiting the local government.

Informal relationship is a very important means of enhancing formal activities of departments. Such relationship is fostered through friendly visits to each other at home, meeting of staff members at clubs, at social gatherings and during festivals. Discussions at informal meetings tend to be more free and non-structured such that details are avoided to prevent time wasting. Very important issues that could facilitates smooth running of departments are usually discussed at informal meetings in offices, at home, in clubs and at ceremonies. Such meetings may be between just two people. It could last for a few minutes or many hours.

ACTIVITY 3

Give 3 reason why the Personnel and Finance Departments are known as services Departments.

ANSWER

They are so called because they follow to the operational departments in their extension works.

- Support services as in releasing funds to support fieldbased activity.
- Payment of personnel or workers salaries.
- Personnel records of staff to facilitate promotion and other personnel matters

3.4 THE ROLE OF KEY OFFICERS IN COORDINATION AND ADMINISTRATION OF DEPARTMENTAL ACTIVITIES

In a local government, there are two decision making groups, namely, the Council and Cabinet. The cabinet, as we said earlier on is composed of the local government chairman, vice-chairman, supervisory councilors and the secretary to the local government. Departmental problems brought before the cabinet are in form of memoranda or reports prepared by professional heads of the departments. The professional heads are trained to initiate and implement decisions including harmonization of various activities of departments efforts. It is the professional heads who supply information and technical advice to the cabinet for decision making.

Coordination of departmental activities can also be enhanced through committees set up by the Heads of departments. These committee create avenue for control as well as necessary feedback mechanism through which the local government cabinet and local government council can be assured that their decision are being carried out and that accountability is obtained or ensured from all officers and staff of the local government. The committee of professional heads of departments or their representatives can be used for monitoring of projects and assessment of performance. The committee uses reporting system rather than personal presence at cabinet meetings to feed supervisors and the councilors of local government with information about the administration of departments and coordination of departmental activities. In addition to collective actions by a committee set up by professional heads of departments, each principal officers of the local government has very important roles to play in coordinating their activities. The key officers here

include the secretary to the local government and other professional heads of departments.

3.4.1 The Secretary to the Local Government

He is the Chief Administrative Officer of the local government. Under the present dispensation, the secretary is responsible for “the coordination of the activities of all departments of the local government”. He is the link between the local government council and cabinet. He is the link between the cabinet and the professional heads of departments. He has the responsibility of matching the plans and wishes of the cabinet with those of his officers (the professional heads of departments). He therefore has dual responsibility (the Departments) as its chief coordinator. He is responsible for organizing the resources and operations of the local government. This demands that he should develop a corporate view on any issue before presenting it to the cabinet. He organizes and holds regular meetings with professional heads of departments on management and administrative matters that affect the smooth running of departmental affairs. Where necessary he passes reports on to the chairman of the local government or the executive committee for deliberation or necessary action. It is from him (secretary) that heads of departments receive instructions and guidelines on what the local government council and the executive committee would want them to carry out as policy decisions or rules and regulations.

3.4.2 Heads of Department

According to the Handbook on Local Government Administration (November 1992), all Heads of Departments including those of Personnel Management and Finance (the Treasurer) are equal in status and powers. They are career officers whose tenure of office, remuneration, functions and conditions of services remain as in the Approval Scheme of Service for Local Government.

The only point of difference which seems to give some undue recognition to the head of finance is that he is signatory to cheque, vouchers, vouchers and contracts.

The Head of Personnel Management is also the Chairman of the Junior Staff Management Committee which other heads of departments are members of. The Head of Personnel performs such other functions as may be assigned to him by the Chairman or Secretary to the Local Government.

The Local Government Treasurer is the Chief Finance Officer. He has responsibility for the administrative control of his department. In addition he

ensures that the Accounting system as laid down in the Finance Memoranda is compiled with by all departments of the local government. In that capacity, he takes care of budgetary control and supervision of the Accounts of all departments. Furthermore, he ensures that all instructions relating to the expenditure of public funds are in writing by competent officers. He makes all Accounting Officers to understand that they are responsible to the Public Accounts Committee for all monies voted for the local government.

Other heads of departments perform equally important functions such as assisting the Supervisors, (political heads) to initiate policies, to prepare cabinet memoranda and implement policies, plans and projects as approved by the local government council or executive committee. They also assist the local government secretary to oversee the staff of their departments and in preparing Annual Performance Evaluation Reports on them (the staff) who they (the heads) must know intimately for purpose of accurate and non-bias assessment. They perform such other functions as may be assigned to them by the Chairman or Secretary to the Local Government.

4.0 CONCLUSION

From what has been described so far, it is clear that the administration and coordination of local government activities are no easy tasks to be handled by one person alone. It is a team work that calls for the cooperation and understanding of all heads of departments and secretary to the local government. In most cases, such cooperation goes beyond the official rules and regulations into informal interactions at home, in places of gathering and in offices. Just as it is important for each department to concentrate on its duties, inter-departmental relationship and coordination is necessary so as to avoid duplication, and increase efficiency. This is the joint effort of both the Heads of Departments and the Secretary to the local government.

5.0 SUMMARY

A summary of what has been said so far can be made as follows:

1. The departmental structure of local governments constitute the nucleus for effective development activities in local governments.
2. The six departments in local governments are managed by heads of departments who themselves are answerable to the secretary.
3. The functions of each department are directly related to its nomenclature. In doing this, each department is divided into sections and units or divisions and branches which assist the head of

departments. The operational departments have their network down to the field or local communities.

4. Just like the departmental structures or units have their functions, the head of departments also have their own individual functions. For example each head of department is the administrative head of his own department.
5. Departments and their heads have to realize that there is an administrative structure (secretary) and or political structure (council and committees) above them.

6.0 TUTOR MARKED ASSIGNMENT 1

Give reason why you think the Secretary to the local government is the key figure in local government.

ANSWER

Should highlight the following:

- Distinguish between a political secretary and a career one.
- Strategic position in the organization – link between the political and administrative structure of the local government
- Coordinator of activities especially departmental
- Both a professional and political personnel – He represents the state at the local government level
- Chairman depends on his professional advise
- Keeping of local government records
- Ensuring guidelines on local government administration are followed
- Serves as Secretary to both Finance and General Purpose Committee and the Council in the cabinet system
- In the light of the above role together which you will still come across, the secretary becomes the key figure in local government administration. Link this up with his chief executive role in local government between 1976-1988.

Since 1988/89, the Chairman has inherited this leadership feature from the Secretary and so assumes the unquestionable leadership from the Secretary.

TUTOR-MARKED ASSIGNMENT II

Assess the roles of Heads of Departments in Nigeria local governments.

ANSWER

The answer should mention the following

- The fact that all head of departments are of equal status;
- Bring out what differentiates the role of the Treasurer and Head of Personnel from the rest;
- Bring out functions peculiar to each department
- Bring out functions that cut across departments
- Mention their relationship with Supervisors, Chairman and the Council

(Remember that to answer this question, you should look especially at Unit 3.4 as a whole, the rest of the paper and other related units like unit 17 (The personnel of local government)).

7.0 FURTHER READINGS

Federal Republic of Nigeria, handbook on Local Government Administration (Office of the Vice President, the Presidency, Abuja, 1977) Pp. 12-16

Scheme of Service for Local Government Employees (Office of the Vice President, the Presidency, Lagos 1988).

Federal Republic of Nigeria: Guidelines for the Implementation of the Civil Service Reforms at the Local Government Level (The Presidency, Lagos, 1989).

SYSTEM OF GOVERNMENT/LEADERSHIP IN LOCAL GOVERNMENT

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1.0	Introduction
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1.0 INTRODUCTION

Local Governments run their administration similar to what obtains at the level of central government. There are different forms of leadership or system of government available to them. These include Parliamentary system and Presidential system. The parliamentary system is modeled after the British system while the Presidential system after the American model. Other systems are the non-democratic types like developing and communist systems put in place. Such could include 'sole administrator' system, management committee system. For the purpose of this unit, we shall dwell more on the features and the merits and demerits of both the Parliamentary and Presidential system in local government, while highlighting some of the features of the other systems. You are required to do some readings to understand the theoretical basis of these systems and their classifications generally.

2.0 OBJECTIVES

At the end of this unit you should be able to

- _ List 5 characteristics of the Parliamentary system generally
- _ Describe how the Presidential system applies to local government
- _ Explain the other systems of leadership in local government
- _ Compare the Parliamentary and Presidential systems in local government

3.1 PARLIAMENTARY SYSTEM (FEATURES)

The Parliamentary system of government is characterized by the following:

- a) Election of members of parliament by the entire electorate
- b) The Prime Minister is elected from Parliament normally from the party with the highest majority in Parliament
- c) The Prime Minister appoints his Minister from his party members in parliament. This means one has to be a parliamentarian to be a cabinet minister.
- d) There is collective responsibility in the cabinet i.e. the action of minister is collectively defended by others.
- e) The cabinet participates in both law making and execution – this is referred to as fusion of both legislative and executive functions..

The major advantages of these system is that the cost of administration is low since ministers are appointed from parliament. Secondly, time is saved on both the executive and the legislators as they agree on decision or policies at the same time.

The major disadvantages are that there is the tendency for dictatorship, since there is the fear that the few men in whose hands so much powers are concentrated could turn into despots unless effectively checked by the party in the opposition.

3.1.1 application to local governments

Local governments run their administration on the model of the Parliamentary system. British local governments, Japanese and India local governments model their administration after this system understandably because that is what their national and state systems are based on. Nigeria during the period of decolonization (1950-60) and the first republic largely followed the Parliamentary model. This was also practiced on a uniform basis throughout the country between 1977-79 (after the Reform of 1976). Let us look at the example of the Nigerian case between 1977 and 79.

The main features of the process were:

1. Election of councilors by the electorates on Zero-party basis
2. Nomination of the remaining 25% by the state military government
3. Two to three members of the entire council are nominated and presented before the state governor from which a candidate is appointed as the chairman of the local government.
4. Selection of three to four members (from within the council) by the chairman to be approved as supervisory councilors by the government.
5. The chairman and the Councillors became both members of the (Local Government Council i.e. the Legislature) while the Chairman and his Supervisory Councillors constitute the cabinet or what is referred to as the Finance and General Purpose Committee (F&GPC)

The problem with this system was the overbearing personality of the chairman who doubled as the chairman of both the executive and legislative councils. He became less accountable to the people because he was not directly elected by them and also that the ratification of his choice rested with the state government. Another problem was with the quality of the councilors. The less educated and politically informed they were, the easier it was for the chairman to override them. The fusion of powers therefore made the chairman too powerful as the only check on his administration external to the local government. However, the system was cheaper to maintain and decisions were reached very fast.

The idea of a check against the powers of the chairman necessitates the option of a system that emphasizes separation of powers, which is the presidential system.

ACTIVITY 1

QUESTION - List 5 characteristics of the Parliamentary System

ANSWER

1. Parliamentarian are elected by the electorate
2. Prime Minister is elected by the members of parliament from among the majority party in parliament.
3. Prime minister appoint his cabinet from parliament
4. Collective responsibility in the executive council
5. Cabinet Ministers participate in both executive and law-making business.

3.2.1 SEPARATION OF POWERS

The powers of modern day governments are usually expressed in three forms – the Legislature, the Executive and the Judiciary. Separation of powers is essential for the good running of government. Accumulation or fusion of powers in one hand has the tendency of leading to tyranny. We may interpret the theory of separation of powers as a different body of persons administering each of the three arms of government i.e. the executive, the legislature and the judiciary. Each of these arms should be independent of and from the other in performing their roles.

Under separation of powers, the legislature which is the supreme law making body is elected by the people for a fixed term. The executive which is the implementing body is headed by the President who is directed by the people. The President in turn appoints his executive members from outside Parliament. The judiciary is independent and their conditions of service are managed by a Judicial Service Commission. They interpret the law.

The note of caution here is that there is no absolute separation of powers, what exist is some checks and balance. For example, the President ratifies the appointment of judges and releases funds for the management of the judiciary and even the legislature. He also has to assent to a bill passed by the legislature. The legislature vets the appropriation bill and can tamper with the President's budget. They also have to approve the President's nominees for some positions e.g. Ministers and Ambassadors.

At the local government level, the Presidential system is also applicable. The strong mayor system in the Unites States and the experience in Nigeria in 1991 are evidence of this. In the Nigeria situation, the following features were observable:

- a) Separation of the executive arm from the legislature arm of government. There was a separation legislative council and a separate executive council.
- b. elected councilors constituted the legislature with its own speaker or council leader whose role was synonymous with speaker of the state house of assembly.
- c) The Executive Chairman was elected by the whole constituency of the local government as one. He is designated as the “Head of the Executive Arm of Local Government”. He seized to be a member of the legislative council. The executive comprised not less than three and not more than five persons to be known as supervisor (instead of supervisor. He needed to resign).

- d) The relationship between the executive and legislative arm was to be synonymous with that of the State House of Assembly on the one hand the State Governor and his Commissioners on the other.
- e) A simple majority of the council in session was needed to ratify the appointment of supervisors by the local government chairman.

The idea of the Presidential system in local government was to make uniform with the Presidential institution at State and Federal levels. It was meant to check the excesses of some overbearing chair men who abused the cabinet system by usurping the powers of the council. The new separate legislative council was meant to serve as a watch-dog against the substantive and procedure abuses of the chairman.

However, the system did not record any appreciable success even as it still applies in some states that have opted for the system today largely because of the low qualification, age, experience and poor economic background of councilors. They were and are still easily bought over by the chairman and this chief executive still had his way. People are now advocating for more experienced hands in the councillorship business at local government level, to encourage quality legislation and more prudent management of scarce resources. Experienced councilors are more likely to earn the chairman's respect than most of the present crop or those of the past.

ACTIVITY 2

QUESTION – How is the Presidential system applied to local government?

ANSWER

Mention the following:

1. Separation of the executive arm from the legislative arm.
2. Elected councilors make up the council. The speaker or council leadership is the leader.
3. The chairman is appointed by the whole local government and he is head of the executive of the local government.
4. His appointed of his executive (supervisors) is ratified by a majority in council.

3.3 SOME COMPARATIVE COMMENTS

In most Western democracies, the system of leadership of government in local government is either of these. Some local governments have strong mayor as in the US, while others have largely ceremonial mayor as in the British experience. In the US, the strong mayor system which is a feature of city governments and the city manager leadership are good examples of strong leadership in the mould of the Presidential system. Even though the legislatures here are vibrant as independent units, the strong mayor is subject to a tenure and can not be moved on flimsy excuse. In the British system, the influence of the council over the mayor is high since the chairman does not have much power of veto. It is rather a chairman and council rather than a chairman in council system. The power of the chairman here falls below that of the Prime Minister at the centre even though the local government level ought to be reflecting the parliamentary system at the centre.

3.5 OTHER SYSTEMS

In developing countries especially in Africa, and Latin America, councils may not be democratically constituted when the military is in power. Therefore, other forms of government exist at the local government level. This may be referred to as Sole Administrator system and Caretaker/Management Committee system. These two systems have been practiced in Nigeria since independence. The sole administrator system is modeled after the colonial District or Divisional Officer who was given absolute control of local government. It is so called because of the fusion of powers he enjoys. This means he does not have any executive or legislative council to report to. He is all in all – the sole. He makes Laws and policies and executes them. He is appointed by the military governor at the state level and his allegiance and accountability goes to him. He does not owe any accountability to the people and so he implements policies that are not necessarily pro-masses. Normally such appointments are a stop-gap measure pending when elections are conducted into local governments. Such leadership has its advantages and disadvantages and this is what you should be pondering on in the next exercise.

The variant of this leadership is the Management or Caretaker Committee. It is made up of 4-6 members selected from the local community with some spread over the local government. This selection is made by the governor. This is an improvement over the sole administrator because the selection process even though not elective yet presents some semblance of representation of the local community. The Committee constitutes both the legislature and executive arms of government. The chairman assigns duties to the other members who behave like councilors. Since they are not accountable to the people, they are bolder in implementing even principal policies like revenue collection. Like the sole administrator system, the

Management or Caretaker Committee is there largely to implement policies of the state government in local governments.

In Nigeria, the irony has been that both leadership systems have become more progressive and developmental than that of the democratic ones. (Odoh, 1990).

It should also be noted that in Nigeria such system of caretaker committee is not peculiar to military rule. The civilian administration of 1979-83 never conducted any local government election between 1980-83 but continued to constitute the caretakers system in local government every 3-6 months. The irony in Nigeria too is that the military has conducted more elections into local governments than the civilian government.

ACTIVITY 3

QUESTION – Why do you think the Sole Administrator and Caretaker/Management Committee leadership systems are inferior to the Parliamentary and Presidential leadership?

ANSWER

Mention the following

1. They are not based on democratic election.
2. Leadership is not answerable to either parliamentary (council) or the people since they are not elected by the people.
3. Participation at the community level cannot be properly solicited since these leaderships are divorced from the people.
4. Because they are politically accountable to state or central governments, they merely implement superior government's policies in local governments.
5. Community feedback to government is low since the leadership is not the true representation of the people.
6. Local government becomes a burden to the community since there is the tendency for dictatorship.

4.0 CONCLUSION

Leadership in local government is patterned along the lines of the federal and state governments. The leadership is guided by the form of government or system of government adopted for local government. Such forms of government are either a cabinet (i.e. Parliamentary) or Presidential. While the principle of the parliamentary system is governed by collective responsibility, that of the presidential system is governed by separation of powers. While the

mayor is a member in the legislature in parliamentary system, the mayor is independent of the council in presidential. The British system operates the parliamentary and so are its local government. Most local governments in the U.S. operated the presidential system while the weak mayor and commission plan operate in between the parliamentary and presidential system.

In Nigeria, local governments have operated both of these systems at varying times. The presidential experience was in 1991-92. Nigeria has however operated other systems like the sole administrator system and the caretaker or management committee system. Both systems are non-democratic with the sole administrator the most dictatorial.

The focus of government discussed in this unit represents the theoretical focus of leadership that range from a confusion of powers to a fusion of powers to a separation of powers.

5.0 SUMMARY

We can now summarize the unit as follows:

- _ The forms or system of government in local government ranges from the democratic to the dictatorial. The democratic forms are the parliamentary and presidential types while the dictatorial are the sole administrator and caretaker/management committee. Theoretically, they range from a separation of powers to a fusion of powers and to a confusion of powers.
- The Parliamentary system in local government makes the chairman a member of both the legislative and executive councils. Actually supervisory councilors are also members of council. The chairman is elected by the councilors while he in turn appoints his supervisory councilors.
- The Presidential system in Local government separates the executive from the council. Council checks the activities of the executive and vice versa. Chairman is elected directly by the electorate and he appoints supervisors for outside the legislative council.
- The Sole Administrator and Caretaker/Management Committee system is a feature of military regimes and unstable third world political especially African countries. They are undemocratic leadership systems or forms of government because they are appointed by the chief executives of state or central governments. They are accountable to them rather than the electorate and therefore

end up implementing policies of the state or central government in local governments. The leadership form turns local government into mere field agents.

6.0 TUTOR-MARKED ASSIGNMENT

QUESTION Why would you refer a parliamentary system to a Presidential one for local government in your country.

ANSWER – If you Prefer the parliamentary

REASONS

1. Decision making is faster because both supervisory councillors and councillors belong to the same council.
2. Less expensive since supervisory councillors are still part of the council unlike presidential system where supervisors are recruited from outside council.
3. It is easier to change a chairman who is bossy and dictatorial in a parliamentary than a presidential system. The tenure in a presidential is longer, he wields more powers, and the impeachment process is tortuous and longer.
4. It is easier to understand and ex-territoriality is higher. Both the executive and legislature operating, as one quickly understand government business. Feedback is much faster. In the presidential, the separation of institutions make feedback slow. There could be deliberate show of power by the legislature on the chairman's policies.
5. Opposition is recognized and issues can be raised on the floor with both the executive and councillors reacting in the same forum. The Presidential system does not so much provide for this. Instead there is great lobbying and waste of resources.
6. Parliamentary system is natural with the ex-British colonies. Any new system may require a lot of training and re-training on the part of political actors.
7. As a fall-out of the above the Presidential system requires establishing new institutions and new attitudes. For the legislative council to operate well, we need experienced and qualified councillors.

Experience has shown that in Nigeria, the legislative council has performed woefully because of the poor quality of councillors (in terms of age, qualification and experience) and for the fact that they were easily manipulated by the chairman.

7.0 FURTHER READINGS

O. Oyediran, Introduction to Political Science (Ibadan: Oyediran Consultants International, 1998) read especially ch. 5

F. Adigwe, Essentials of Government for West Africa (Ibadan: University of Ibandan Press Ltd., & Oxford University Press: London, 1974) See especially ch. 8

A. Odoh, “Local Government, Party Politics and Political Regimes” (Paper presented at International Conference on administration and People in Rural Areas Since Independence, University of Bordeaux, France, may 1990)

UNIT 16

THE COMMITTEE SYSTEM IN LOCAL GOVERNMENT

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3.7	The Finance Committee
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1.0 INTRODUCTION

An important structure in the administration of local government is the Committee System. If you refer back to the diagram on the structure of local government, you will see Committee as part of the structure.

The function of a Committee is to decongest the business of people (member) sorting, perusing an issue and reporting back to the whole body makes administration work foster. Furthermore, Committee attends to specialized issue or problems at the local government level. Some of these issues might require specialized knowledge and that should reflect the membership of the Committee.

In most local government system, especially those influenced by English practice, there is a committee system. Some committees are statutory or mandatory while others are standing, special or adhoc. The statutory ones are backed by law while the adhoc or special ones are set up depending on the exigencies of administration.

The main committee of the local government system are the General Purpose Committee, Finance Committee, Establishment Committee, Primary Education Committee.

The notes you are going to go through on the Committee system tells you what a Committee is, types of Committee membership, chairman of committees, powers, the relationship of the committee to council and the advantages of committees.

2.0 OBJECTIVES

By the end of this unit, you should be able to

1. Classify and explain committee according to types
2. Explain the role of the chairman in the committee system
3. Describe the features and role of the Finance Committee
4. State 4 advantages and disadvantages of the Committee System

3.1 IMPORTANCE OF COMMITTEE

As important and characteristic feature of local government in some countries, committees have variety of purposes, including to advice, to co-ordinate to require or to negotiate. They also work at different levels. Procedures may therefore differ for one committee to another.

In any system of local government, there exists one type of committee system or another. An important and characteristic feature of local government in some countries especially those influenced by English practice, is the committee system. As A.H Marshall wrote in Financial administration in Local Government (p.38)

“... a local authority is an assemblage of quasi-independent committee coming together only at the very highest level, the council itself...”

The statement underlines the fundamental importance attached to committee in the work of English and Welsh Councils.

A research finding is that councillors in England and Wales spend an average of 29 hours a month on committee work MAUD REPORT vol. II p. 133.

ACTIVITY 1

QUESTION

Why is the committee system important in local government?

ANSWER Should include the following

- decongest business of the council
- saves time
- brings to bear specialized knowledge on issue sometimes
- can look at details of a particular issue – brings scrutiny to bear and advises accordingly.
- avoids mistake in decision and policies as these are meticulously dealt with by committees.

3.2 WHAT IS COMMITTEE

Sir Kenneth Wheare attempted a short answer at p. 5 of his Government by Committee.

“It is important to have some idea of what is meant by a committee, if only because there are some bodies called committee which are not really such, and there are many committee called by other names. The essence of a committee is, surely, that it is a body to which some task has been referred or committed by some other person or body. It may be asked or required or permitted to carry out this task. But that is the idea of a body being in some manner or degree responsible subordinate or answerable in the last resort to the body or person who set it up or committed a power or duty to it”.

What this means in local government practice will become clearer as we consider what sort of committee exists, how they work and their relations with one another and, more especially, with the parent council.

3.3 SORTS OF COMMITTEE

There are several ways of classifying committees.

1. (a) Statutory or Mandatory. These must be set up either under some enactment which lays duty upon a council. For example, in England and Wales county councils are required to have a Finance Committee by the Local Government Act 1933, and their Fire Brigade Committee is a requirement of the Fire Services Act, 1947.

- (b) Permissive or non-statutory. The Local government law stated such other committee as are necessary to carry out their functions.
- 2. (a) Standing These are committee which continue in existence to deal with the routine business of the council. All statutory committees are of this sort.
 - (b) Special or Ad Hoc These are temporarily established to deal with a short-lived problem e.g. to organize centenary celebration
- 3. (a) Vertical These are the 'functional' committee which deal with a particular part of the council's work. Education, Public Health and Children's Committees are example.
 - (b) Horizontal Committee which 'serves' the work of vertical committees, such as Finance and Establishment Committee.

3.4 MEMBERSHIP

In some countries the law restricts membership to councillors, but others allows for co-optation to enable the experience and interest of other qualified – often better qualified – and concerned persons to be used. In England and Wales co-optation is limited persons to not permitted on Finance committees and may not exceed on third of membership in most others. Planning and education committee must have a majority of elected members on them, but no proportion is laid down. Where co-opted members are councillors of other local authorities e.g. District councillors co-opted into a county council committee – some acts allow a higher proportion of co-optees. Person co-opted into children's and Education Committee must have relevant experience, and this last committee provides the only example in English and Wales local government law of a council employee being a member of the employing council's committee, for teachers may be co-opted.

In Sweden co-optation is much more extensive; in some authorities there may be a total of 300 to 400 co-opted members on committees of a councils of 60 elected members.

Political affiliation, where councils run on party lines, is often a factor in the composition of membership. Some attempts may be made to reflect relative strengths or it may be that the dominant party may take disproportionate representation on certain committees. But such considerations are modified where the ethos of good government prevails over power-politics. Though elections have been fought on party lines, the working council and its committees may largely ignore such considerations, and the interest of

members in certain subjects often plays a major part in their appointment to particular committee.

3.5 CHAIRMANSHIP

It is likely to be in the appointment of chairmen that party will play a decisive part, for the dominant party may insist on filling all of the places. Instead, the minority may refuse to occupy any. In one U.K. country borough an astute majority leader once manoeuvred the opposition into the chairmanships of all the committees which might have to approach the council for supplementary funds during the year, and much was made in debate in council of alleged incompetent management.

Although a number of external factors – such as finance, pattern of authority, party considerations – must affect the manner in which any committee works, it is no exaggeration to claim that the quality and leadership-style of the chairman is a major – perhaps the most important – elements in its performance.

The following quotation from the MAUD REPORT (Vol. p. 136) refers to England and Wales, but in most respects it is equally applicable elsewhere:

“Since the committee system is a basic feature of local government, the characteristics of an authority’s committee chairman are obviously of considerable interest. As will be shown ... the extent of their functions and therefore of their power and influence varies considerable from one authority to another. They are, however, always of some significance – and sometimes of very great significance – in setting the tone for the conduct of business and often in formulating policy. The choice of chairman is therefore of particular importance. They are normally elected, or re-elected, annually by their committees and it is usual for there to be at least the appearance of unanimity. There is number of general factors which may condition the choice of committee chair man in an authority – the political parties, limitations (if any) imposed by the council on the number of chairmanships which may be held by an individual and on the length of tenure, the convention affecting the position of vice-chairmen, the extent to which chairmanships are sought after by members and the status of different committees in an authority’s committee hierarchy”.

So much for the statement of its importance. Why is the importance? Sir Kenneth Wheare gave some reasons in why the committee.

“The function of the office of chair man, put at its ~~indivisible~~ ^{indivisible} is to promote and maintain order. To this end it is agreed that, in a numerous body like a committee, the chaos that would come if members address each other at will or at random can be averted by providing that all remarks will be addressed to one person. Simply and obvious as it appears, this is the very foundation of order. The most elementary and elemental form of being ‘out of order’ is to direct one’s remarks to someone other than the chairman. ‘Please address the chair’ is the cry both of those who love freedom of speech and of those who love order.

It is from this primary function of being responsible for order and from this unique position of being the target of all remarks in the course of a committee’s work that a chairman’s opportunities of leadership spring. To begin with, all questions are addressed to or through him. Soon he may find himself answering the questions, justifying the actions of the committee, perhaps justifying the actions of its officials, if it is an administrative committee. Soon the officials are supplying him with the answers to questions and criticisms and he may find himself acting almost like a minister defending actions which chairman can feel are his responsibility. Now it need not work in this way of course. A chairman can treat himself as no more than a channel through which questions pass to chief officials. But he wishes to influence his committee, the opportunity often presents itself when questions are asked”.

The qualities and attributes just referred to mainly concern his role at meetings, but this is but a part of work. Some other tasks are:

1. Spokesmen and advocates – he must make his committee’s needs and views known in council to justify their recommendations.
2. Policy maker – in theory perhaps not, but in reality his role is likely to be a significant one. In most cases he will be in the chair because he represents a party with a policy he has helped shape, ~~considered~~ ^{considered} a ‘specialist’ in the field. If neither of these apply, he may have shape, have had long experience and so be sensitive to what is practicable and what might be unacceptable.
3. Co-ordinator and organizer – even a matter like drawing up an agenda involves decisions of policy. What is the right order? The correct timing?

4. Protector and mediator – does he make efforts to ensure the undoubted right of all members express their views. Does he make sure that all views are expressed? Does he make sure that the expert knowledge of officers receive due weight yet is not allowed overwhelm committee members so that they become mere ‘rubber stamps, of what are virtually officer- made decisions? Perhaps the hallmark of a really good chairman is the way in which he protects officers from attack to which they have no right of reply. He may himself be critical of an officer’s action. General performance or attitude, but he is an inferior chairman if he abandons himself to an understrained attack on committees. There are proper disciplinary procedures where the use of such is appropriate, but even more important is the private word, the informal influence which he, as chairman, may only count, but also has a right and duty to , apply.

3.6 POWERS

In England and Wales DELEGATION was admitted in local government practice as a general principle by the local government Act 1929. The 1929 Act only permitted delegation to statutory committees. But the government Act 1933 extended it to all committees. In general, however, while delegation allows the committee to act in the council’s name it only does so up to the specific limit decided by the council. In other words, delegation is no wider or more general than the council decides. It may not include the levying of a rate of issue of precepts. Delegation creates ‘AGENCY’. The acts of the servants are those of the master; the acts of the committee are the acts of the council. Certain U.K enactments – e.g. town and county planning Act 1962 – allows further delegation from a committee to a sub-committee, but there is no general provision.

3.7 THE FINANCE COMMITTEE

For a number of reasons – some more worthy than others – Finance committees in Local government tends to regard themselves as senior to other committee, more powerful and more responsible.

The research findings of the MAUD COMMITTEE summed up the problem and the role of the Finance Committee:

“These is a temptation, where the finance committee has a strong composition (an especially it is has a power of veto), to use it as a weapon of control. One objection to such a course is that it may result in a great deal of misapplied effort by the committees, and pressure for financial stringency and undue weight. The problem of making

issues comprehensive to members in sufficient depth appeared to us especially acute in this committee.

In general we do not, therefore, think that the finance committee, working as a kind of second-stage policy review body, has a predominant role to play in policy co-ordination. In the allocation of priorities, in matters of financial regulation, in the raising and management of funds, to some general level of expenditure, however, it plays a vital part which, unless there is a radical change in general committee management structure which appears to be irreplaceable”.

The Finance Committee’s main duty is to report to the Council on the financial implications of any proposal, making sure that these are fully understood. It must be admitted that it is difficult to do this without at times at least straying into policy judgments. Dr. Marshall sums it up thus

“Wise finance committee keep as near to pure finance as they can, carefully refraining from giving opportunities for their actions to be constructed as meddling with other people’s affairs. But in practice the pure milk of the theory become watered down, first because the distinction between financial considerations and others, and hence the line of demarcation between the finance and other committees, is not always clear, and secondly because there are important occasions when the finance committee can hardly refrain from expressing, if only by implication, judgment on durability as well as on financial feasibility. Whenever the finance committee recommends an order of priority, or suggests what rate should be levied or how it should be allocated, it is, in effect, exercising a judgment on relative merits if not on absolute merits. There is of course no escape from this position, for as has already been explained, there comes a stage at which some group smaller in size than the council must sift complicated proposals and conflicting claims and make firm recommendations, the council itself being much too unwholly a body for the task. Even so, the finance committee should recognize that the less it becomes involved in the merits of scheme, the better”. (p. 45)

ACTIVITY 2

Get in touch with the “Guidelines for Local Government Reform” in Nigeria (1976). Look at Section 29, 30, and 31.

ANSWER

- a) (i) A Finance and General Purpose Committee
- (ii) An Education Committee

- b) There are Small Committees of the Local government
- Chairmen of these are political heads of departments
- F & GPC becomes the “Cabinet” of the local government
- Members of Committee should be appointed by council unless where otherwise stated by law.

3.8 COMMITTEE AND COUNCIL

There is no virtue in the Council re-doing the work of a body it has set up to relieve it of much of the task, but it must be remembered that a committee's acts are those of the council and that the responsibility of the latter for these acts is to the electorate. Thus, scrutiny of committee doings is a duty. It is one which can be adequately discharged without undue and inhibiting interference? In view of the volume of work undertaken by modern local government and the attendant increase in council business it is difficult for councillors to study and consider all the details provided in committee's work needs extra scrutiny and which can be relied upon for soundness. The whole system breaks down where this trust is not found and does develop.

3.9 DISADVANTAGES

What are the merits and demerits of the committee system? The latter first:

1. It may cause delay. The law or standing orders may provide that business must go first to committees and in some authorities this could mean up to three months delay in business, even if a straight-forward passage is assured.
2. It may ‘water’ down’ strong and effective leadership in the council
3. Where there are sitting allowances it may add to the expense of council business.
4. It may encourage dabbling in the routines and trivialities of administration which ought to be left to officers.

ADVANTAGES

1. It permits specialization among councillors.
2. It can save a lot of time for councils so that the latter may concentrate on major issues.
3. It permits frank discussion, where the public sessions of Council inhibit it or even encourage speech-making for reporting in the press.
4. It provided a sort of second chamber so that business is considered a second time-usually so in theory; occasionally so in practice.

Most important of all – it must widely diffuse effective sharing in decision-making and it is thus the hand-maiden of democracy.

4.0 CONCLUSION

You may have learnt about the importance and other characteristics of committee system from going through the material above. Once again committee is meant to simplify the work of the council and even the administration. You have also seen that there are standing and ad hoc committees and even statutory committees. Committee has powers to issue meticulously and bring to the council for approval. It also helps to sort out departmental needs and prepares this for policy acceptance.

The chair man of a committee must be active in his committee job and vocal and articulate in council for council to appreciate the committee's needs and recommendations.

You may want to apply the committee principle to your local town union meeting and see how it works.

5.0 SUMAMRY

A few points can be raised in summing up this unit

- a) Committee is important in that it lessens or simplifies local government councils complex activities.
- b) Committees are classified according to whether they are statutory or non-statutory.
- c) Committee is made up of council members and in some cases co-opted members.
- d) Chairmanship of Committee is largely dominated by the ruling party but in some cases opposition parties may claim some.
- e) The chairman of a committee is a spokesman and advocate, a policy maker, a coordinator and an organizer and a protector or mediator.
- f) The powers enjoyed by committees are powers of delegation.
- g) Committee reports to council even though a lot of trust is placed on these committees by council.

6.0 TUTOR MARKED ASSIGNMENT

QUESTION

Discuss the advantages and disadvantages of committee system.

ANSWER

Your answer should include the sketches given in the unit.

Introduction

1. What is a committee and why is it important
2. Bring out the advantages and disadvantages and explain with examples.

Advantages

- Permits specialization among councillors
- Time- saving for council
- Permits frank discussion and encourages speech making
- Provides opportunity for grater reflection a second time.

Disadvantages

- May cause delay
- May have the tendency to substitute council work and “water down” council leadership.
- Where allowances are to be paid for committee work, they may add up to the expenses of council
- May dabble into routine or trivial administrative business meant for officers.

3. Conclude by weighing the advantages and disadvantages and hence its desirability.

7.0 FURTHER READINGS

R. M. Punett, British Government & Politics (Hennenmann Ltd., London 1977).

J. H. Price, Political Institutions of West Africa (Hutchinson & Co. Ltd., 1975

Kaduna State Local Government Edict, 1977.

UNIT 17

THE PERSONNEL OF LOCAL GOVERNMENT

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1.0 INTRODUCTIONS

The personnel of local government comprises both administrative and political personnel. These are people who together manage local government and achieve results. While the political personnel or staff of local government are recruited through election, or selection, or nomination depending on how democratic the system is, the administrative personnel are recruited or selected basically on merit. There are specific qualification or guidelines on which both of these personnel are recruited and there are roles assigned to their offices. Each structure office has its own role or responsibilities and each actor has his or her own role. Both the selection or recruitment process and the roles they play in office are the issues that concern you in this unit.

This will enable you to appreciate these offices especially as regards what it takes to get there and what is expected of one as a staff.

The political personnel to be considered are the Councilors, ~~Alderman~~, while the administrative personnel are the principal administrative officers like the secretary, the prefect and the heads of department.

As we discuss these, examples will be drawn on a comparative basis mainly from Britain and Nigeria.

2.0 OBJECTIVES

At the end of the unit you will be able to

1. State guidelines or qualifications governing appointment or recruitment into the major political and administrative position in local government.
2. Identify the roles and responsibilities of these key personnel.

3.1 QUALIFICATIONS & ROLES

3.1.1. POLITICAL STAFF

1. Chairman

The Chairman is the number one citizens of the local government. He is entrusted with the political leadership of the council. In Britain, the first business of the Council is the election of a mayor or chairman which, as pointed out, is by indirect election. He is usually a Council member and so the qualification and disqualification discussed under councilors (below) apply to him. In most cases, his term of office is one year. He presides over council but this is largely one of ceremony and prestige. He is not a chief executive as in the Nigerian case or the strong Mayor of the US. Yet he is the chief representative and the number one citizen of the Borough.

Other system, which follow the British system do not exactly behave the same way. The tenure of chairman in India and Nigeria is between 2-3 years. The age requirement in Nigeria is specified (30 years and above). In Presidential system like America and Nigeria, chairmen are more of Chief Executives of their local government. The chairman in this system is directly elected by the people and not by council. There are also qualification and disqualification clauses guiding his election and tenure.

2. Councilors

Councilors could be elected as part time or full time. In the Nigerian case, Councilors must not be less than 25 years, and must have obtained at least a secondary school certificate or its equivalent. They must not be declared bankrupt, as ex-convict and must not suffer from infirmity of the mind. They must also be sponsored by a political party.

In Britain, Councilors are elected on part time basis. To get elected as a councilor, a member must be of "full age" and be a British citizen and at least must satisfy one of the following requirements laid down on the Local Authority (Qualifications of members) Act 1971.

1. He must be on the register of local government election for the area;
2. He must own freehold or leasehold land in the area of the authority;
3. He must reside in the area during the whole of the twelve months preceding the election;
4. He must have had main employment in the area for the twelve months preceding the election.

Disqualification of membership arises if

1. the member holds a paid office
2. a person is bankrupt
3. a person has committed an offence within five years\ provision to the election, involving imprisonment for these months or more.
4. a member fails to attend council meeting without reasonable excuse for a period of six months.

3. Alderman

This is specific feature of the British local government especially at the level of Counties and Boroughs. They are elected by the Councilor from among council members or from strong persons qualified to serve on the council. They equal in number one-third of the council. Their appointment stemmed from many motives including personality, security, long service reward, and consideration of party politics. They provide continuity, for council work as they continue to remain in council even when councilors are re-elected periodically.

ACTIVITY 1

QUESTION

List electoral qualification of a Councilor in Britain

ANSWER

1. Must be registered voter
2. Must own land in one form or the other in the area
3. Residency qualification for one year
4. 12 months of employment (in the area) preceding the election.

3.1.2 LOCAL GOVERNMENT OFFICERS (CAREER STAFF)

Harold Laski, has pointed out that “while the difference between efficient and inefficient administration lies in the creative use of officials by ~~placards~~”. Another author observes that “only skilled and trained officials can be relied upon for continuity, in the system, impartial interpretation, and tradition and disinterested impetus:.

Local government officials are therefore important from constitutional, functional and from the standpoint of their effective role in local administration. They implement policy as professionals and could therefore determine the effectiveness and success of the political actors.

The key staff (official) in government are the Secretary and the Heads of Department. These manage both the administrative, professional and technical skills and competences in the local government.

In some systems like in Britain and the US, councils are responsible for their internal administrative structure and appoint officers who can discharge these efficiently. Approval is however necessary by central governments for certain appointments.

In Britain the following appointments are mandatory: chief education officers, chief fire brigade officers, inspectors of units and measures, directors of social services and distinct surveyors.

In terms of qualification (in Britain) no qualification are prescribed for offices in the case of medical officers of health, and public health inspectors.

The clerks, treasurers and surveyors are merely required to be “fit” persons.

For the clerk however, people of high administrative ability and in some cases legal qualifications are preferred.

1. The Secretary

The Secretary is usually the head of the Administration and the key point man of the chairman. He is the coordinator of the department.

There are two types of secretaries in the local government system, an administrative secretary and (career secretary) and a secretary who is politically appointed. Local government in Britain, India and in

Nigeria (before the 1991 Reform) parade this type of secretary. It is also equivalent of French Prefect.

The qualification of the career secretary in Nigeria is based on years of service, an educational qualification comparable to people in similar position in the central governments (preferably a degree or its equivalent). In some systems the secretary is elected especially in some countries in the United States where such election does not detract from qualification. Another dimension to the political nature of Secretaries is the fact that in some system they are appointed by the central state government through the local government service commission or the ministry. This makes it a sensitive position.

In other systems like Nigeria, especially during the Presidential experiment in local government and presently too, most of the states allow the chairman of local governments to appoint their secretaries. (These are not technically heads of administration but secretary to the council).

Some qualification or guidelines governing the appointment of such secretaries in Nigeria require any person to be appointed to be:

“A serving or retired personality of outstanding merit with demonstrated track record of performance and administrative experience, preferably in the public service”.

We should not forget that in France, as we have seen in previous unit, the Prefect of the Department (i.e. the main tier of local government) who is the equivalent of the secretary, is appointed by the central government especially to serve as the eye of the central government in the local councils. He is a person of high administrative ability comparable to staff of the central government. Technically he is a central government staff.

2. Other Administrative Staff

The other administrative staff are based on the departmental structure of the local government. The Heads of Departments are the Principal departmental staff as well as the Principal officers of the government.

In Britain like many other countries, local government are organized around departments, with each department administering a service or group of interrelated services. In Britain there are two service

departments i.e. the Clerk's department and the Treasurers department that service the other departments. The other principal departments are Engineer and Surveyor's department. Chief education officer's department medical officer of health, Housing, Public-health, Planning department.

In Nigeria the Reform of 1988 has approved six departments of Personnel Management, Finance, Health, Agriculture, Primary Education and Works. Today, Primary education is replaced by Education and Social Services. (primary education is managed by a separate intergovernmental outfit).

In terms of qualification and recruitment. In the Nigerian local government system) the minimum entry requirements are specified in documents like staff regulations or Approved Scheme of Service for Local Government Employees. A post of the Head of Department is available to those who rise through the ranks or those who possess higher qualification or on secondment. In the Nigerian setting for example, the scheme of service accepts a Higher Diploma in Local Government or an advanced diploma in local government. So also the position is open to those with first degree or a higher degree. However, it also stipulates the years of experience necessary to qualify for the job. Such could also be filled by promotion in most cases. It must however be noted that in local governments, positions of heads of department up to the secretary are not filled purely on merit but political consideration comes to play. In Nigeria for example, local governments that are under-represented in position at the local government level are considered so long as their candidates have the minimum qualification – some form of quota criterion.

In local government, the role of officers is as simple as looking at the relationship between the officer and the council i.e. career and political officers. The paid official carries out the work, while the council decides and controls policy and holds the purse strings. Sometimes the demarcation between these roles are not clear. An earlier has thrown light on the roles and role relationships (as in duties and responsibilities).

ACTIVITY 2

QUESTION

On what basis is a Head of Department appointed and promoted in Nigerian local government?

ANSWER

1. Rising through the ranks/promotion
2. Qualification especially higher and further qualifications.
Basically a Higher or Advanced Diploma or a first and higher degree.
3. On secondment from the state government.
4. Years of experience/seniority.
5. Political measures like quota i.e. distribution of Heads of Department to ensure no local government is under represented.
6. Interviews.

3.2.0 INSTITUTIONS PERSONNEL FOR PERSONNEL MATTERS

We may start with this observation in respect of Appointment of Officers in the British Councils (Barber, 1974).

In general, councils are responsible for their internal administrative structure and may appoint “such officers as they think fit for the efficient discharge of the functions of the council”. In addition, statutory appointments are mandatory and the central government possesses the power and the duty to approve of certain appointments and a degree of interference over such matters and the dismissal of certain officers.

This shows that local governments in Britain have considerable control over the appointments of their staff, but there is central government control over some of the way senior staff. Such control is vested on the Ministry for the Environment.

In Nigeria however, the situation does not confer much over local governments in recruitment of staff. The Nigeria local government service is a unified service where a central body at the state level, known as the Local Government Service Commission, is responsible for the appointment, promotion, transfer, training and discipline of staff on salary grade level 07 and above (i.e. 07 – 16). The unit local governments are charged with responsibility over staff of level 01-06. This they do through the Junior Staff Management Committee. Two systems are therefore in vogue viz the unified and separate system. Let us look more closely at the unified system (especially in duties) performed.

3.2.1. THE LOCAL GOVERNMENT SERVICE COMMISSION ROLES & RESPONSIBILITIES

Appoint, post, promote and discipline local government employees on grade levels 07 and above;
Set up general uniform guidelines for appointment, posting, promotion and discipline;
Monitor the activities of each local government, discipline and promotion of local government employees on grade levels 01-06, to ensure the guidelines are uniformly applied;
Serve as appellate body for petition from aggrieved local government staff on levels 01 – 06 as regards promotion while levels 07 and above could appeal as far as to the Governor;
Maintain comprehensive and up to date seniority lists and nominal role of local government staff;
Submit annual report of its activities to:
all chairmen of local government in the state
the office of the state Governor
the state House of Assembly
Maintain a monthly local government gazette or newsletter to convey information in particular,
The bye-laws passed by local government in the state
Staff movements including new appointments, confirmations, promotions and retirements/dismissals.
Assume responsibilities for manpower planning development and training the senior cards (GL 07 and above) of the local government service;
Keep the 1% allocation for Training Fund for training of members of the unified staff;
The Chairman of the Service Commission staff chair the Pension Board;
Restructure and strengthen the Department of Personnel Management (in the local government) and propose modification from time to time in the structure and operations of the local government service.

The danger with saddling the Commission with so much function is that it has come to pay attention to some functions and neglected others. For example, training and recruitment, promotion and transfer have dominated its function. Others have taken a back seat.

As can be seen from the functions, the key issues in personnel management viz. recruitment, promotion, transfer, training discipline are the

responsibilities of the Local Government Service Commission. There are procedures guiding the administration of each of these.

3.2.2. Junior Staff Management Committee

For staff of local government of level 06 and below, their staff matters are handled by a Junior Staff Management Committee whose composition and function are spelt out in the 1988 Civil Service Reforms for Local Government. It should be noted that in handling these personnel matters, this committee will have to notify the Service Commission on major decisions affecting staff.

The Ministry for local government is in charge of political staff in Nigeria. It is responsible for their documentation, training and issues guidelines on their allowances and welfare.

ACTIVITY 3

QUESTION

Complete the following statements:

1. Another name for local government administrative staff is----- staff.
2. The coordinator of departmental administration is-----
3. Apart from experience, two other criteria for appointment as head of department are----- and-----
4. The appointment of a career Secretary to a local government is done by the ----- while that of a political Secretary is done by the -----.

CONCLUSION

The personnel of local government are either political or administrative. Political personnel are largely politicians or local government representatives comprising the chairman and councilors. Career or administrative officers are the paid staff of local government who translate policy into action. Key Career officers of local governments are mainly the Secretary and Heads of Departments. Council makes policy, the executive implement policy by making use of the career officers who provide the administrative professional and technical expertise to do this. The degree to which political personnel succeed, will depend on what level of operations and support they get from career staff. This brings in the critical question of how each officer political or career understand his roles and the relationships that exist between these.

The dividing line between administrative and politics may be difficult but each category of staff must try to stick to its role as much as possible to reduce conflictual relationships and promote cordial relationship.

Nevertheless certain state institutions cater for the personnel matters of these staffs. While the Ministry for Local Government deal with political staff, the Local Government Service Commission deal with career staff especially in the Nigerian setting.

5.0 SUMMARY

At the end of this unit we can highlight the main points as follows:

The major political action in the local government council are the chairman and the councilors.

These political actors have qualifications and guidelines attached to their appointment and tenure. This could range from educational qualification to experience and are, residency, citizenship, etc.

The chairman is the number one officer of the local government and provides political leadership.

Councilors make laws and formulate policies for the council.

The Career or administrative staff of local governments are the Secretary (Clerk) AND THE Heads of Departments.

Various departments in the local government are organized around a group of functions and the head of department provides leadership for these departments in the execution of these functions.

The Secretary is the administrative head of the local government and the coordinator of departments. In some systems he is chief executive (as in the British).

The position of the local government secretary varies in that in some systems like the present Nigerian local government system, the secretary is appointed politically by the chairman.

Qualification of local government administrative staff is based on merit and some personnel matters relating to these key administrative staff are handled by the local government service commission (in Nigeria).

6.0 TUTOR MARKED ASSESSMENT

ASSESSMENT 1

QUESTION

Should mention the following:

1. What the personnel matters of local government are included
2. Definitions of the Unified and Separate Services
3. State the responsibilities or roles of the Local Government Service Commission as contained on page 5 of the unit (11 of them).
4. Describe the role of the Junior Staff Management Committee.
5. Comment on the relationship between these two bodies

(To get more on this question, see reference 3 on “further readings”).

ASSESSMENT II

QUESTION.

What are the two major institutions responsible for staff matters in local government? What are their personnel mandate?

ANSWER

Should highlight the following:

1. List the two as the Junior Staff Management Committee (JSMC) and the Local Government Service Commission (LGSC).
2. Two types of Personnel Systems – Separate and Unified (Please explain).

I. JSMC

Established in 1988

Responsible for the Separate Personnel System i.e. levels 1 – 6 staff of local government – their employment, promotion, transfer, training and discipline.

State the composition

Relationship with the Service Commission.

(Please look for more information on this from the 1988 Reforms in Local Government).

II LGSC

Integrated Service – State body responsible for personnel matters of senior staff of local government.

It is an appellate body in the petitions from the JSMC where junior staff are aggrieved.

Direct personnel functions are as follows:

Appoint, promote, post and discipline local government employees of grade level 07 and above.

Set up guidelines for such above

Maintain nominal and seniority list of staff

Responsibility for manpower planning development and training in the senior cadre of the local government service.

Keep a 1% training fund for training members of the Unified staff

Restructure and strengthen the Department of Personnel Management.

-

Conclude by highlighting one or two likely problems these institutions might face. Such should be problems of a political nature.

7.0. FURTHER READINGS

M.P. Barber Local Government (Macdonald & Evans Limited, 1974) Ch. V.

Federal Republic of Nigeria National Orientation Workshop for Local Government Councilors, Training Manual (Office of the Vice President, and Department of Local Government Affairs, July, 1999), See especially. "Local Government Under the 1999 Constitution" by Oyelakin.

Federal Republic of Nigeria Implementation Guidelines on the Application of Civil Service Reforms in the Local Government Service (Federal Government Printer, Lagos, 1988).

UNIT 18

LOCAL GOVERNMENT FINANCE (REVENUE)

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	- Sales Tax
	- General/Administrative Revenues
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	- External Sources
	- Loans
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6.0	Tutor-Marked Assignment
7.0	Further Readings.

1.0 INTRODUCTIONS

Local government needs adequate funding to service the functions assigned to it by the central government. You have been introduced to these functions. Remember that those functions are classified into two viz: Mandatory and Government. The Mandatory ones are said to be those that have revenue sources attached to them. In short, these functions have to do with revenue generation. The Concurrent functions are more or less social functions which do not have revenue attached to them and which local governments require a lot of funds to carry out. They are in a lot of cases heavily subsidised and are not profit oriented as such. Proper funding is therefore required to perform such functions.

Local government funds are raised in different ways. This unit looks at what the sources of such funds (revenue) are, the role of both central and local government in such funding arrangement and the problems associated with such arrangements. In doing this, examples will be cited from a few countries but with greater emphasis in Nigeria.

2.0 OBJECTIVES

At the end of this unit, you should be able to:

Identify both internal and external sources of local government revenue;

Compare both sources in terms of contribution and reliability;

Identify the viable internal sources of local government revenue;

Begin to appreciate why local government in some countries are more buoyant and development oriented than in others;

Examine the problems of internal sources of local government revenue.

3.1 SOURCES OF LOCAL GOVERNMENT REVENUE

Local governments derive their revenues from two major sources viz internal and external sources. Internal sources are the revenue items local governments have control over. External sources come from grants and loans. Let us take each of these sources one by one.

3.1.1 Internal Sources

Internal sources or local revenues are those within the tax jurisdiction of local government. As pointed out earlier such jurisdictions are constitutional in some systems and conventional on others. The Nigerian case specifies both function and tax jurisdictions in the constitution. These are also tax laws to support revenue generation. You may also recollect that the Fourth Schedule of the Nigerian Constitution specifies the functions of local government in which our earlier analysis found out that a lot of these exclusive (mandatory) functions have revenue sources attached to them.

Generally local government internal revenue can be classified as:

Local tax revenues, user charges and administrative revenues. The dominant and most promising of this three is tax revenue. The principle of taxation are efficiency, equity and revenue productivity. Tax administration may be much easier to manage at the city or urban level than the rural. Some taxes are however suitable for urban local government than rural ones. These include sales tax, and tax on property. In rural areas, community taxes may be very suitable. Note generally that the tax system or structure is such that relates to either person, property or transactions. This is why we talk of community tax and personal income tax (personal) property tax (property tenement) and sales tax (transactions). These are the types of taxes paramount at the local government level. You should remember the point made that the tax on property and transactions are more applicable for urban local governments.

(However in rural local governments taxes on transactions are evident in local markets, specially) in bulk purchases of local commodities like grains.

Let us look at some of those taxes more closely.

a. Property Tax

Property tax is a highly productive tax in terms of revenue. Property taxation remains the most general kind of local tax throughout the world, developed and underdeveloped. Local Governments in Canada and Great Britain depend on it. It is levied in Ghana, the Middle East and In Tanzania. Local Governments in the United States derive about 8% of their locally raised revenue from this source. Several urban local governments in Nigeria, Lagos being in the forefront, collect property taxes.

The types of urban property taxes are discernable, namely;

Site Value Tax on vacant or unimproved vacant land; (tenement).
A tax on urban housing or building not subject to the site tax.

Despite the promising nature of this tax, it is bedeviled with problems. The problem are largely administrative, technical and political. Technically, there is the problem of valuation i.e. good data and classification of property and putting in place, machinery for its collection. Part of this machinery for collection is the administrative problem of attitude and efficiency of revenue collection at the local government level. Another problem are is the strong political forces opposed to property rating, since the owners of the property are those with political connection. Further more, this tax has become a futile exercise in Nigeria for example, to rate property in rural areas. While the yardstick may be mundane and unscientific, it at the same time an unusual tax to the rural dweller. (This is why we say it is an urban tax.

b) User Charges

Most of the exclusive and concurrent functions assigned to local government as earlier noted should be considered as sources of revenues. These could be classified as user charges and administrative or general revenues. They involve the sale of economic goods or resources by the government, for a specific charge or price. An example is charges made for the position of markets and motor parka. These publicly produced services having characteristics of private goods may be financed according to the benefit principle. This means that the services with high welfare aspects such as education and health cannot fall into the category as they cannot be financed by user charges. Note the funds for such services by more in the external sources.

c) General/Administrative Revenues

Local Government powers over revenue are largely residual. The case cited below is the Nigerian case. In Nigeria these revenue items are codified under the following local government revenue heads:

- 1000 Taxes
- 1002 Rates
- 1003 Local Licenses, fees and fines
- 1004 Earnings from commercial undertaking
- 1005 Rent in Local Government Property
- 1006 Internal payments and dividends.

Part of what has been treated under Property tax and user charges fall under 1001 and 1004 respectively. In Nigeria local governments, Heads 1003 – 1004 continue the mainstay of local government revenue. A few revenue items like markets and motor parks, licenses and fees or television and radio, have shown to be visible sources if well handled. In the same vein and as discussed earlier, property rates have the tendency to be the more preferred and promising in urban areas, despite its own problems.

On the other hand, most items of internal revenue in Nigeria local governments are ‘dry’ and inelastic. This means that the administrative cost of collecting them could exceed the benefits. Furthermore, a revenue head like Head 1003 alone covers a range of items or subhead of 101 items. (These may include dog license, pet licenses, bicycle license and other minor permits which may add up to little).

In the lights of the nature of these internal sources, only urban areas are likely to raise any reasonable percentage of their revenues. Hardly do government in Nigeria go beyond the 10% mark in revenue generation as percentage of total local government revenue. The modal distribution may even be less than 5% Urban local government may generate up to 15-20%. Even then some urban ones do not differ from rural local governments. Revenue effort is rather low.

The survival of local governments rest largely with external sources.

ACTIVITY 1

QUESTION

List the General/Administrative Revenues of Local Government. Situate both Property and User Charges under these.

ANSWER

1. Taxes
2. Rates
3. Local Licenses, fees and fines
4. Earnings from Commercial Undertakings
5. Rent on Local Government Property.
6. Interest Payment on Dividends.

Property and User Charges can be situated under Nos. 1 – 4 above.

(Note these are serial numbers. The code for each head is different).

3.1.2. EXTERNAL SOURCES

1. Grants

The major external source available to local government is generally classified as grants. (As pointed out earlier, external sources are the mainstay of most local governments in developing countries).

There are two basic types of grants:

1. general revenue or unconditional grants;
2. specific or conditional grants;

As the name suggests, the first is a grant to aid local governments in general while second is tied to specific functions, services, programmes or projects. General revenue grants when consistent and stable or even enables local government to plan their budgets effectively. In Nigeria, for example, this is referred to as Statutory allocation (from the Federation account). This proportion for sharing grants to local governments have changed overtime. It has changed from 10 – 20% in the past. Presently, local governments enjoy 20% of revenue accruing from the Federation Account as its share of statutory allocation while state governments are to pay to local government 10% of their own internally generated revenue. Such revenues are supposed to fund more especially the concurrent functions of government and very importantly personnel and overhead costs. Without such, local government in Nigeria would have been on-existent especially as a third tier, Specific grants were a prominent phenomena in the Nigerian local government system up till 1979. Much of these were given by the colonial government, the regional government and the federal and state governments.

They were either in form of marching grants, equalization grants or “specific grants”. Marching grants were motivational while specific grants were for special projects of which the federal or state government had interest e.g. the Universal Primary Education of the mid-seventies. Note that the system is a main feature of local governments in advanced countries too.

Normally, the arguments in favour of grants are:

- a) to augment the resources of local authorities
- b) to meet the exceptional needs or the limited means of particular areas;
- c) to assist central control of particular services, and
- d) to influence aggregate local government expenditure as part of the process of controlling the national economy.

LOANS

Borrowing is external to local governments and in doing so, loans need to be guaranteed. In the Nigerian case, the state edicts make the state government as the guarantor. Therefore local governments do not go into loan transactions for capital projects with state approval. This may not however apply to overdraft especially that their statutory allocation goes straight into their account for now.

Local governments every where need credit.

- 1. to provide infrastructure services such as health, road, etc
- 2. for productive investments.

As pointed out, local governments in Nigeria have access to loan funds largely for the latter. Urban local governments require such loan than rural ones. Most of such loans in the rural areas will go into construction or expansion and motor parks or mass transit ventures and even rural small scale ventures.

In some countries, these could be urban development bank or a development bank which can provide loans for local government e.g. in India.

3.1.3. REVENUE PATTERNS IN NIGERIAN LOCAL GOVERNMENT (SUMMARY)

The following table shows the revenue profile of local governments in terms of the internal and external sources discussed above. You can now compare the relationship between these two sources at a glance.

Table 1: Revenue Sources of Local Government in the Federation, 1993 – 1997
distribution

	%	%	%	%	%
SOURCES	1003	1994	1995	1996	1997
Federal Account		92.2		90.1	
State Allocation		1.3		2.4	
Value Added Tax		0.0		0.0	
Internal Sources		5.2		6.3	
Others		1.3		1.3	
Total	100.0	100.0	100.0	100.0	100.0

Source: Compiled from CBN Annual Report & Statement of Accounts, 1997, P.7.

The point made about internal revenue structure is succinctly shown by the distributions. Local Government altogether do not raise up to 10% of their revenues.

With the introduction of the Value Added Tax it has become the second most important external sources of revenue to local government. The state government contribution has in almost all cases fallen behind that of local effort. This has also been a source of worry for local government finances because state allocation is supposed to register a higher level than this. There has been always accumulation of state government shortchanging local government while some have even refused to contribute.

ACTIVITY 2

Fill in the blank spaces.

- External sources of local government revenue can come from----- and- -----
- Grants received in respect of taking REWARDS can be referred to as ----- grants.
- Another name for statutory allocation to local government (in Nigeria) is----- grant.
- Loans are authorized for-----projects.

ANSWER

- grants and loans
- specific grants

- c) general grant
- d) capital

4.0 CONCLUSION

You may agree with me that local governments are also busy levels of government that finance projects and services like other tiers of government. Their functions even though primary attract a lot of financial resources. On their own, they cannot generate much funds. Their sources of revenue are not as attractive as higher governments. The personnel and machinery for revenue collection are not sophisticated. The tax or wealth of local society is very low and therefore there is a limit to which this can be stretched. Local governments therefore generate a minute package of their total revenue. In Nigeria, their viability is threatened by their low internal revenue base.

External sources in form of grant such as statutory allocation and other forms of grants constitute the mainstay of their functions. In some cases they constitute more than 95% of their revenue. In advanced countries they could contribute as much as 60%.

Loans are also available to local governments but these are highly neglected and directed at activities that are profit generating rather than of a primarily social service nature.

You can therefore see that local governments are not viable as other levels of government because their finances may not be able to support their operations and they cannot stand on their own financially.

5.0 SUMMARY

What we have tried to put across so far can be summarized as follows:

1. Finance is the nerve centre of local government activity. Functions can only be meaningful if appropriate financial devolution is made.
2. Local government derive their finances from two sources viz. internal and external sources.
3. Internal sources include tax, rates, fines, local licenses, commercial undertakings and rent or local government property.
4. The most reliable local sources are property tax, user charge, and when possible sales tax.
5. External sources are made up of grants, both general and specific. In Nigeria, statutory allocation is an example of general grant.
6. External source provides the more reliable sources of funding for local government sometimes accounting for 90 – 95% of total finance.

7. Loans are available but tied to capital projects and investments of an economic nature.

6.0 TUTOR MARKED ASSIGNMENT

QUESTIONS

What is Property Tax or Rate? Why is it a promising source of local government internal source of revenue? What are the problems with Property tax?

ANSWER

The answer should mention the following:

Property Tax

A tax on property e.g. building or
A tax on unimproved land (site value tax)
Largely applicable in urban area because of large and complex property and their value.

Importance

In the US 8% of local government own sources raised from the source
Source is very elastic as value changes and property subject to development.

Problem

Problems are administrative, technical and political

1. Administrative - Organization for collection and attitude of collectors
2. Technical - Valuation and machinery for collection.
3. Political - Connection between owner of property and political power. They frustrate effort of the local government in terms of enabling law and actual collection.
4. General - Difficult to apply to rural areas as the

sources are very dry here i.e. property is scanty. Unusual tax to the rural dwellers.

7.0 FURTHER READINGS

A. Y. Aliyu (ed.: The Role of Local Government in Social Political and Economic Development in Nigeria, 1976 – 79 (Published by Department of Local Govt. Studies, A.B.U. Zaria) See especially pp. 165 – 175.

Adedeji, A & Rowlands I: (eds) (Local Government Finance in Nigeria: Problems & Prospects (University of Ife Press, Ile-Ife, Nigeria, 1999.

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UNIT 19

LOCAL GOVERNMENT FINANCE IN BRITAIN AND THE UNITED STATES OF AMERICA

TABLE OF CONTENT	
1.0	Introduction
2.0	Objectives
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	- Grants
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3.2	Local Government Finance in the USA
4.0	Conclusion
5.0	Summary
6.0	Tutor – Marked Assignment
7.0	Further Readings

1.0 INTRODUCTIONS

The discussion on local government finance in unit (18) derived most of its examples from the Nigerian scene. In that discussion you were introduced to the sources of local government revenue and you discovered that local government in developing countries are least capable of generating internal revenue and depend largely on external revenues in form of grants from the central government. You also saw that the most viable internal sources were property taxes and user charges. Nigerian urban areas boast of property and tenement but there are technical and political problems that bedevil exploration of this source. Rural areas rely largely on markets and community tax.

This picture may not be applicable to these two advanced countries chosen for study. These are advanced countries with property of various sorts and the level of industrialization and urbanization creates a lot of wealth. Local government in these entities especially cities and municipalities rely to a large extent on their internal sources specially property and sales tax. These sources play a great role in revenue generation in Britain and the US. Such tend to make local government more visible and more autonomous and therefore capable of more independent decisions and more development oriented policies and programmes. Such autonomy will condition their types of budget and the expenditure pattern.

As you go through this unit, you may want to compare this with the Nigerian situation in terms of types of sources, contribution of sources i.e. the role of local revenue and grants and perhaps the type of expenditure and then the level of autonomy.

2.0 OBJECTIVES

At the end of this unit, you should be able to do the following:

1. Identify the source of local government revenue in Britain and America.
2. Assess which source generate more revenue for local governments.
4. Identify the types of grants local government in these entities enjoy and how these differ from the Nigerian case.

Assess the effect of the revenue base on the type of expenditure in these entities.

3.1 FINANCES OF LCOAL GOVERNMENT IN BRITAIN

Local government finance in Britain is similar to what has been discussed in the earlier unit. The system operates on a budget and funding and expenditure procedures. We shall, in the next unit see what the budget procedure is and the functions budgets serve.

In the British system, the Finance Committee is very important as a result of its central role in the local government as well as the fact that its role cuts across other committees and departments. In functions are as follows:

9. It examines evidence and makes consequent recommendations to the council.
10. It examines finance as a whole
11. It weighs competing departmental schemes and arranges priorities.
12. It fixes the rate level.

Its role becomes useful in budgeting and expenditure in local government. It also helps to integrates departments and other committees. Since it examines finance as a whole, it looks at both the revenue and expenditure budget of the local level. What we will focus more on here is the revenue sources of British local government.

3.1.1 SOURCES OF LOCAL AUTHORITIES'S FINANCES

Local authorities derive their revenues from both internal sources (largely through taxation) and external source in form of grants). The main sources of income are rates, government grants and loans.

Rates are charged on property and services. In Britain, Councils of Boroughs, Urban Districts and Rural Districts are Rating authorities. (A rating authority collects the rate from the taxpayer in its area). Other local units ~~are~~ *are accepting authorities which require the former to collect rates on its behalf.*

GRANTS (The Grant System in Britain Local Authorities)

In Britain, grants play a significant role in local revenues. The purpose of grant is to maintain standards in local government services. The following arguments may be advanced for it:

1. New Services – where there have been set up the states and managed by local government grants are necessary to maintain them.
2. Burden – Introduction of new services without corresponding grants will place a great burden on local authorities.
3. Social Legislation – with modern social legislation, it is impossible and unrealistic to divide services between the national and the local ones as essential national services are administered at the local level. Remember the “concurrent functions” in the Nigerian situation.
4. Need for Control – If there is to be a national minimum standards in services, such controls are necessary which calls for the grant system and its financial leverage.
5. Increasing Costs – Especially of developing services e.g. education, health and welfare cannot be borne by the rate system alone.

The arguments against the grant system are those of financial dependence, control and in equalities.

Types of Grants

You may recall in the previous unit the classification of grants as both Specific and General. This also applies to British local governments.

1, SPECIFIC GRANTS

Specific grants are made towards the cost of particular services and may be of the following types:

1. Percentage Grants – The payment of “approved expenditure”.
2. Unit Grants – A fixed amount paid for a determinable unit e.g. grant for approved dwelling.

3. Discretionary Grant – These are payable at the discretion of the Minister.

2. GENERAL GRANTS: These are of the following types:

1. Assigned Revenues:- The payment of some source of tax cover to the general revenues of local authorities.
2. Block Grants:- Grants-in-aid of local authorities on a general basis usually assessed on a formula, taking account of local needs, resources, etc.

Out of all these, the Block grant is the most favoured. The block grant is the equivalence of the statutory allocation in the Nigerian local government system. In recent years, however, block grants have come to be replaced by rate support grants. Grants play a very important role in local government finances. Ten percent of the grants paid to local governments are in form of service grants – towards the cost of specific services e.g. Public grants. Rates support grants established in 1966 accounts for 90% of the total grant figures. This type of grant is not tied up to any specific services. Poorer governments tend to make up their financial deficiency here because of its equitable nature.

Loans for these Authorities are moneys borrowed to pay for capital investments that cannot readily be financed from current income from rates or grants but also on the principle that cost of investment with long term benefits should be met by loans which can be repaid gradually over the life of the asset as the benefits of the investment materialize.

Local authorities can raise loans by issuing stock on the stock exchange, by internal borrowing from the authority's own funds, by private mortgages, or by a bank overdraft in case of small sums. Local authorities can borrow from the Central Government through the Public Works Loans Board while a small authority can borrow from a large one. The large authorities tend to rely more on the open market while the smaller ones on the Loan Board. However, large vast majority of loans require Ministerial consent to ensure that the authorities borrow what they can afford to pay.

Local Authority's expenditure accounts for a quarter of total public current expenditure, and between a third and two-fifths of total capital expenditure. Generally, its income is raised in the following proportion.

1. Government grant (about 2/5)
2. Rents from municipal houses, dividends and interest (about 1/5).
3. Capital investment in for the mean time financed by borrowing.

Since a lot of economic activity is generated at the local level, and by virtue of its substantial share in the national economy, this automatically makes local governments viable units to reckon with. Their source of autonomy is also dependent on this fact.

ACTIVITY 1

QUESTION

What is the difference between a Rating authority and a Precepting Authority (in Britain)?

ANSWER

Rating authority – collects the rate e.g. Districts

Precepting authority – rely on the rating authority to collect rates for it e.g. Parish Councils.

ACTIVITY 2

QUESTION

Fill in the following spaces:

- a) In Britain, Government grant constitutes----- % of local authority income
- b) -----constitute 20%
- c) Capital investment is financed through-----

ANSWER

- a) 40%
- b) Rents from municipal houses, dividends and interest
- c) Borrowing (Loan)

3.2 LOCAL GOVERNMENT FINANCE IN THE USA

Local governments in the U.S enjoy the widest range of financial resources. Just as administrative control is quite minimal compared to other countries so also is the financial powers of local government consideration.

Broadly, American local governments, just like other systems derive their revenue from two sources, viz, internal and external sources. Federal and state grants are external while taxes, rates, fines and fees are internal to them. Prominent among the internally generated revenue are property tax and sales tax, which compete to dominate other internal sources depending on the nature of the local unit.

Property taxation has been very important in cities. It is sometimes referred to as a tax on land and building. The example of Atlanta City is informative. In this City, over a period of ten years, the City's average percentage from this source was 38.9% total revenue while between 1970 – 79 it generated not less than \$21.5m in any year and as high as \$43.1m. As an advanced capitalist state, the problems associated with property tax such as those of politics and its technical nature are well tackled.

In some other cities, sales tax plays a higher role. Sales tax is normally charged on commodities (most often luxuries) like tobacco, alcohol, petrol, to discourage their excessive consumption and to raise money for the government. In the Walnut City of Creek for example, a look at its budgets for 1968 – 44 bears out the fact that sales tax takes a prominent position in city finances.

ITEM	1968-70	1970-72	1972-74	1974-76	1976-78	1978-80	1980-82	1982-84	
SALES TAX %	23% 28	30 2 30	30 33 40						
PROPERTY TAX %	19%	24	28	29	25	15	25	19	
Other City Tax %	50%	40	42	39	45	45	52	41	
Total									

Amount	9.95	9.87	11.72	14.13	11.78	24.9	35.3	30.76		
\$m										

Note that the “Total Amount” is reading in dollars (i.e. raw figures) unlike the other reading in percentages. However, the table is showing the dominant position of “other city revenues” (including gross receipts and income taxes among others) followed by sales tax and then property tax. Note that this is a small city.

Cities by their nature are very much likely to generate more internal funds than counties just as in the Nigerian case where urban local governments are more viable than rural one. What is generated as internal revenue does not suffice to maintain enough level of services and therefore Federal and State assistants are required.

As far as the state is concerned, there are two main categories of state aid to local governments:

1. Shared taxes – which are a proportion of state collected taxes given by state law to local units.
2. Grant-in-aid – which are specified grants of state moneys given local units usually but not always for specific purposes. (the system of disbursement varies from state to state). For example, grant-in-aid may be distributed on the basis of local marching funds, wealth of the locality, population or other formula. States now tend to pay attention to the system of broad grants for more inclusive general purpose. There is also a tendency towards equalization between the richer and poorer communities, especially with regard to education grants.

Federal grants disbursed to finance federal projects supervised by the local governments or local government own projects financed by the federal government. (The federal government does not meddle so much in local matters but repose a lot of confidence on local officials to carry out even federal projects at the local level).

However to sponsor this, certain conditions must have to be fulfilled viz:

- i) that revenue sharing funds would be used within the specified period.
- ii) funds will be expended only for permitted uses.

iii) the Treasury and Controller General will, have access to books and records of local authorities in order to review local compliance with federal regulations.

iv) annual or interim report is required on projects.

v) 'planned use reports' are also necessary

What is happening therefore is that the federal government works through the local governments in the execution of some projects at the local level, with some measure of supervision to ensure conformity and accountability.

Putting both internal and external sources of local government resources together the financial picture for American local governments has always looked rosy. Some statistics attest to this.

In 1952 the total revenue pic (from local government own sources was shared as 75% federal 12% state and 13% local, but in 1972 it changed to 56% federal shares, 23% state and 21% local which shows a diminishing reliance on the centre. In another example, in 1972, Counties (more than 2000 in the U.S) received \$12.5b as grants. This represents less than 9% of all general revenues from own sources. This is to show the level of internal buoyancy of the local government.

As a result of such financial buoyancy, local governments could boast of having half of the 12.6b public employees in the U.S in 1973 in employment (of which nearly half are with School Districts).

The full-outs from such financial gains are its involvement in functions or services such as police and fire protection, public works, parks and recreation, public utilities, city planning, public health, airports, harbors and housing. The financial implications of these are enormous so also are the personnel requirements. Sometimes the federal government may initiate one of these, e.g. housing program, but local units decide whether to take advantage of the program and where the project is to be located. Major policies may then flow from the top but local units decide the details of implementation as it affects the local society. This too is an exercise in democracy with its accompanying twin variable of autonomy. Perhaps Nigeria should learn from this arrangement.

ACTIVITY 3

QUESTION

Using the table in 3.2, (for the City of Walhut Creek) compare the contribution of sales tax and property tax.

ANSWER

Sales tax is ahead of Property tax for all the years. As a small city rateable property may not be as high.

4.0 CONCLUSION

A comparison of the British and American experiences shows that local governments are more financially independent in the U.S. than Britain. Secondly specific grants are more at work in the U.S. especially at the special district and school district levels. The major sources of revenue in both entities are taxes. In Britain we talk more of rates while in the U.S. emphasis is on property taxes, sales tax and other city taxes. In terms of grants, the principles are the same as in the shared taxes and the Grant in aid in the U.S. while the equivalent is the specific grant and rate-support grant in Britain. The formula for sharing grants may however be different.

Local governments in the US enjoy more privileges because two levels of grants are accruable to the local government. First from the state government and from the federal government. Remember you were told that federal grants are disbursed to finance federal projects supervised by the federal governments. In Britain such grant system combines both the effort of the federal and the state in the central government. The level of activity at the local level as a result of the multiplicity of grant is definitely higher with US local governments. One distinguishing feature of the US system is the high reliance on internal revenues over external sources (specially at the level of cities and urban municipalities or counties where the property and sales tax structure favours local government.

5.0 SUMMARY

A summary of this unit can be made as follows:

Local government finances in Britain and America are derived from both internal and external resources.

In Britain, these sources largely derive from Rates and Grants.

The U.S local government rely on taxes and grants but taxes continue the mainstay of the revenue sources. Property, sales and other city taxes are very important sources.

Local government in the US enjoy grants from both the state government and the federal governments.

In Britain, the Finance Committees plays central role in the Finances of local government including budgeting. Part of this function is that it examines finance as a whole” and makes recommendations on major financial activity of local government to council.

6.0 TUTOR MARKED ASSIGNMENT

QUESTION

Compare the system of grant in Britain and the USA.

ANSWER

Should include the following:

- Definition and importance of grants.
- Types of grants in Britain and in the USA
- Note service grants in Britain and rate support grants also.
- In the US the shared taxes compares with the rate support or general grants.
- Outstanding in specific grant paid to local governments in the US to implement specific federal project.
- Mention the conditions governing grants with respect to the above services in both countries and bring out the similarities or patterns in these conditions.

7.0. FURTHER READINGS

M. P. Barber, Local Government (Macdonald & Evans Ltd. London, 1974) ch. IX.

R. M. Punnet, British Government and Politics (London: 1971, pp. 386 – 389.

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UNIT 20

MANAGEMENT OF LCOAL GOVERNMENT

TABLE OF CONTENT

1.0	Introduction
2.0	Objectives
3.1	Expenditure Pattern in Local Government
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3.2.1.	Purpose and Objectives of Budgets
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3.2.3	The Budget Document
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3.3.1	Audit
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5.0	Summary
6.0	Tutor-Marked Assignment
7.0	Further Readings

1.0 INTRODUCTIONS

In the outgoing unit you were introduced to the sources of local government revenue. The whole gamut of local government includes revenue generation, expenditure accountability and perhaps auditing. Because this is an introduction to local government administration, we can only take both revenue and expenditure aspects. A little bit of accountability will also come into focus in the expenditure aspect.

This unit identifies which services attract expenditure by local governments, the process of arriving at the decision to authorizing expenditure (budget) and the control of expenditure itself. The issue of accountability will also feature as it is inseparable from expenditure.

At the end of the unit, you will also be able to appreciate the relationships between some key actors of the local government.

2.0 OBJECTIVES

By the time you go through this unit, you should be able to do the following:

1. Differentiate what major items local governments spend money on.
2. Describe the administrative political process involved in budgeting.
3. Identify the major sources of expenditure control in local government
4. Describe the financial relationship between principal actors in local government.

3.1 EXPENDITURE PATTERNS IN LOCAL GOVERNMENT

Local government performs basic functions. The services delivered by local governments are based on these functions. A good source to appreciate the pattern of expenditure and services is the local government estimates (budget). The estimate itself is based on the Financial Memoranda (FM) for local governments. (At the eve of independence most Anglophone countries had an FM bequeathed to them by the retreating colonialists). The FM provides guidelines for budgeting expenditure control and accounting framework for local government.

An estimate covers both revenue and expenditure patterns of local government. Under expenditures, two types are considered viz: recurrent and capital expenditures. Recurrent expenditures are expenditures on services and structure that continue to feature in local government administration from year to year. Examples of this are, personnel costs (salaries, allowances, etc of works) and overhead costs (maintenance of vehicles, stationeries, telephones & postal services, etc). Capital projects are new or projects or purchases that will require fresh capital outlays and which could last over a period of time. Examples of these are infrastructures like boreholes, construction of roads, fertilizer procurement, vehicle purchase, etc.

In the Nigerian local government system, recurrent expenditure ranges from head 2001 – 2013 (i.e. 13 items). They include office of the chairman, office of the secretary, the council, all the 6 departments, traditional rulers (where applicable) miscellaneous, contributions to local government and transfer to reserve funds. In each case, they include personnel costs and overhead costs for each of these units.

Capital expenditure is much more elaborate because it covers projects and services. Normally these are also based on the units considered under the recurrent expenditure items especially the departmental units. Moreover, capital expenditures are divided into a number of sections namely: economic, social services sector, area development sector, administration sector and “repayment of capital loans” sector.

The type of expenditure items under these sectors are stated briefly below:

1. Economic Sector - e.g. Agric and rural development, livestock, forestry, fisheries, manufacturing, rural electrification, etc.
2. Area Development Sector - Water resources and water supply, environment, sewage and drainage, town and country planning, community development.
3. Administration Sector - General Administration (Office building) Staff housing, workshops, etc.
4. Social Sector - This includes, Health, Education, Social Welfare.

A breakdown of these into projects will make for better appreciation of the type of projects local governments engage in. Under Livestock (which is under the Economic Sector) a capital estimate may include:

1. Fencing of cattle market - N485,000 —
2. Special purchase of vet, dogs - N300,000 =
3. Construction of 15 No. slaughter —
at various locations

Under social services sector, activities or projects in the Primary Health Care Department may include:

1. Construction of health clinic - N700,000 —
2. Construction of VIP latrines - N180,000 =
3. Construction of 5 refuse collection
bins - N200,000.

These are the types of expenditures local government engage in. Expenditure could be in the areas of construction of clinics or roads (which may run into millions). Some projects can be as small as N65,000 (as in purchase of chemicals for a semi-urban local government). We can however

say that the type of expenditure and the amount expended depend on the size of the local government, the location (either urban or rural), the complexity of the job and as in community development, the contribution to be made by the community. Note also that in local governments, those projects are contracted out. You may now begin to appreciate that expenditure and expenditure items in local governments especially services are rather mundane and basic and therefore any tendency for corruption or mismanagement is capable of denying local communities appropriate and adequate services.

ACTIVITY 1

QUESTION

State the four main sectors of capital expenditure budget plan in local governments (in Nigeria) giving two examples in each case.

ANSWER

Economic Sector e.g. Agric and Livestock
Social services Sector e.g. Primary Health Care, Adult education
Area Development Sector e.g. Water supply and environment.
Administration Sector e.g. staff housing workshops.

3.2. THE LOCAL GOVERNMENT BUDGET

The local government budget is an instrument of expenditure control. It is like a plan of action for a given period of time in local governments, normally for a period of a year. It contains the statement of revenue and expenditure to be undertaken by the local government over a period.

According to the Committee on budgeting of the Municipal Officers Association (in the USA) a budget is.

A comprehensive plan, expressed in financial terms by which an operating program is effective for a given period of time which includes estimates of (a) the services, activities and projects comprising the programs, (b) the resultant expenditure requirements, and (c) the resources usable for their support.

This definition captures what has been said earlier that the budget contains the expenditure items and the sources of funds to prosecute such items within a given period and we may add, with some given standards.

Nigerian local governments prepare budgets (popularly referred to as estimates because of the lack of details and input required of budgets). These estimates serve a function by serving as a guide for incurring expenditure at the local government level (management) planning legislation and control.

3.2.1 PURPOSE & OBJECTIVES OF BUDGETS

These can be briefly stated as follows:

1. To provide a financial plan of action – Estimates are actually the financial objectives of the local government for the year including all the activities.
2. To promote legal authority for incurring expenditure. Every estimate must be formally approved i.e. a legal sanction. For every expenditure provision must be made and approved.
3. To provide a mechanism for ensuring that adequate controls are maintained over expenditure and revenues. This is because local government accounting system is directly related to the heads and subheads in the estimate, and therefore the estimate will ensure that no amount committed to the head or subheads is overspent or illegally spent.
4. To establish the financial position of the local government. Estimates should be able to tell us such position at the beginning and at the end of the year.

3.2.2 PROCEDURE FOR PREPARING ANNUAL ESTIMATES IN LOCAL GOVERNMENTS

Estimates are based on sound information or data generated either by local government officials or the political actors or the demands of the local community. Local government staff are supposed to generate empirical and more professional data base on local governments and the demands of the community sometimes through their field or extension workers. These types of information network play an important role in the type and quality of estimates and plans that come out of local governments. One other reason why budgets are referred to as estimates in the Nigerian setting is that such data-base is not present and even where available, the plans and budgets do not depend so much on such but the subjective preferences of politicians and officials.

Procedure

The Nigerian experience is cited here

1. The budget process begins with a call circular by the executive to the treasurer, calling for preparation of estimate for the ensuing year. In a lot of cases, the call circular originates from the Ministry for Local Government, giving guidelines to the departments which local government should follow including the timing.
2. Treasurer's call circulars – This goes to the Department based on that from the Executive Ministry detailing out the interpretation of such circulars and any council decision reached on departments and past experiences.
3. Preparation and submission of Departmental Estimates Proposal is their Treasurer. This will be done by heads of departments and their supervision detailing out estimates for each of the services proposed. This shall be supported by explanatory notes.
4. Treasurer's summary of Departmental Estimates Proposal. This should be done in the format of the FM and should be submitted through the Secretary for consideration by the Estimate Committee (sometimes referred to as the Finance and General Purposes Committee).
5. Consideration of Departmental Estimates Proposals by Executive Committee and the Council. The Executive Committee looks at the Estimate together with the Treasurer's summary confers with the relevant heads of department and agree on the document to be sent to the Local Government Council (i.e. Legislature). Council then considers, debates and approves the Estimates through the use of is Committees and the whole House.
6. Forwarding of Approved Estimates to the State Government. The typical practice is that the budget is actually defended by the local government before Ministry officials who finally make amendment and approve it before expenditure can be incurred).

3.2.3 THE BUDGET DOCUMENT

The budget document itself consists of revenue and expenditure according to the provision of the FM. Part of what to expect in the budget is already highlighted at the beginning of this unit already highlighted at the beginning of this unit under expenditure patterns. A typical budget document will include:

1. Consolidated Financial Statement.
2. Summary of Estimates of Recurrent Revenue
3. Summary of Estimates of Recurrent Expenditures

4. Capital Receipts
5. Summary of Estimates of Capital Expenditure
6. The rest are breakdown of each of the above into their different heads and subheads or into their different units.

Pick a typical local government budget or estimates and study this structure.

3.3. EXPENDITURE CONTROL & ACCOUNTABILITY

The approval of a budget signifies the authority to incur expenditure. Expenditure of expenditure is largely an executive affair. Once the council or legislature approves the budget, it is like giving the mandate to the executive to go ahead and spend appropriately. This is why the legislature does not rush into such approval but instead the budget comes under meticulous scrutiny. By the legislature and the appropriate committee asking numerous questions and ascertaining the rationale and importance of every expenditure from time to time through a monitoring committee and to await for chairman's monthly progress report on the financial situation of the local government which by implication analyses the revenue and expenditure situation in the local government.

The chairman is the accounting officer of the local government. In Nigerian local government system he authorizes major expenditures of local government especially capital expenditure. He has a spending limit. In 1988, the spending limit of the chairman was N50,000 per month while the FGPC could approved N100,000 and the Council expenditure was not more than N250,000 per month. This formula has however gone through many revisions over the years and such reviews have been upward.

All expenditures made by Heads of Departments (who are referred to as Officers Controlling Votes (OCVs) are done on behalf of the chairman and under the supervision of their supervisors or supervisory councilors. They too had a spending limits of N2,000 to N5,000 as at the 1988 (depending on the classification of the local government). Any expenditure approved is normally reported to the next higher officer within a given period.

The chairman is more a signatory to local government cheque. He approves all expenditures but does not do this clerical job, just like chief executives of state and federal governments. Once the voucher is approved by the chairman, the cheque is raised and signed by the secretary and the treasurer of the local government. Since 1991 however, when secretaries become political appointees, the function was taken away from them and vested in the Head of Personnel Management, together with the Treasurer.

Local government jobs are to a large degree contracted out. Tenders are supported to follow laid down regulations as in higher governments. The works department becomes very useful in such an activity. Because of their technical nature, they are at the centre of budget implementation or project implementation. They liaise with the appropriate Head of Department together with the secretary, the Head of Personnel and the chairman matters of project feasibility, costing implementation and monitoring. They also supervise contract or project implementation together with the department concerned. The Works Department must advise the key department even in the certification of the contract execution before payment is effected.

All such progress report on contract and amounts paid should be tabled before the executive council by the affected department periodically, as such will form the basis for periods reports to the council.

ACTIVITY 2

QUESTION

Who are the main officers controlling the Votes (OCVs) in local government? Why are they so called? How is this related to spending limits”.

ANSWER

- a) Chairman
- b) Secretary
- c) All Heads of Department

They are so-called because they take responsibility for disbursing moneys to their “votes” or departments or the local government as they case may be and also accounting for how such Moneys are spent.

This is why the spending limits affect these officers. Where the spending affect the F&GPC and the local government council, it only stops approving expenditure or expenditure limits. The officers who actually control or implement the expenditure are those listed above.

3.3.1 AUDIT

The function of the audits in local government is to promote accountability by ensuring that the operations of the executives and the administration agree with procedure and guidelines. In the local government system, there are two

types of audit – the internal and the external audit. The internal audit is meant to do pre-payment or pre-expenditure audit in local governments. The internal audit is supposed to ensure that the regulations governing expenditure and payments are followed. The major problem he faces is that he is part of the staff under the chairman and therefore his advice can be discountenanced. Sometimes, the executive perceives the internal auditors as trying to show down their own political programmes since they are impatient with procedure. This also happens with advice from the secretary and the treasurer.

The External Auditor does post payment or post expenditure checks (audit). At the state level, there is the State Auditors General for local government. He has a compliment of staffs who are organized into zones and periodically conduct audit check on local government accounts. There is also an annual auditing of local government account. His report eventually goes to the state executive who in turn submit this to the State House of Assembly. Erring local governments are sanctioned.

The State House of Assembly also has its own Committee that visits local government to ascertain their financial management of projects especially and financial administration generally.

Furthermore at the state level there operate an Audit Alarm Committee. This is a feature of the 1998 Civil Service Reform in Nigeria. The committee is charged with raising an alarm when some principal officers in the local government catch wind of breach of financial expenditure or a fraud that is about to be committed. They raise an alarm to the committee at the state level which is supposed to meet and stop such act of fraud. The members at the local government level are the Secretary or Head Personnel Management (as the case may be), the Treasurer and the Internal Auditor. At the state level the composition is the Director or Local Government (as chairman) and a representative of the State Governor.

Finally, routine inspections of local governments by the inspections from the Ministry is an important instrument of control. Inspectors have the right to call for the books of accounts and other records of local government for purposes of ensuring that these books are kept and procedure are well followed. They can sit in council meetings from time to time to ensure procedure and advise on the conduct of meetings. Inspector's reports are always sent to headquarters are actually the eyes of the Ministry at the local level.

4.0 CONCLUSION

You have been taken through the issues of expenditure and accountability in local government. You have found out the expenditure items in local governments may be similar to those of big governments but are smaller and much more basic as in their functions. Expenditure items are actually services or projects or supplies which in turn are a breakdown of the financial items.

The budget is the major instrument of expenditure control in local government. It contains the types of activities and their cost, including and capital expenditures. The budget goes through a process of formation and approval and even implementation.

At the level of implementation, certain control measures are applied. All payments are authorized by the chairman and his heads of departments. The chairman is the accounting officer and chief executive. The chairman and the officers controlling the votes (OCVs) are financially accountable.

Other measures of accountability are the internal audit, the external audit and local government inspectorate in the Ministry.

The Nigerian example has helped to illuminate on this subject of expenditure in local government. Other countries do not deviate sharply from this except that when local governments are more autonomous, budgets are formulated and approved locally. Any submission to a higher government is for information only. In a multi-tier structure, the structure below may have to submit their budgets to the superior tier for approval. For example in France, the budgets of Committee are subject to approvals by Departments. In Tanzania the budgets of Districts are approved at the central level.

You may want to consult relevant literature on local government expenditure and budgeting for a comparative perspective.

5.0. SUMMARY

Having gone through this unit, we may examine the main issues as follows:

1. The items of expenditure in local governments are contained in the budgets of these organization and they range from projects, services to purchases.
2. Budgets are instruments of financial control in local governments. They contain recurrent and capital expenditures. While recurrent expenditures refer to personal emoluments and overhead costs, capital

- expenditure refer to programmes and projects to be implemented by local government for a given year.
3. Budget preparation kicks off with call circulars from the Ministry Executive of local government and ends with approval by the Council (legislature) Ministry of Local Government.
 4. The Chairman is the Chief Executive and Account Officer. He approves all expenditures but does not sign cheques.
 5. Council and accountability in local government is done by the internal audits, the external audit and the inspectorate staff of the Ministry of local government.

6.0 TUTOR MARKED ASSIGNMENT

QUESTION

Discuss two instruments of managing expenditure and ensure accountability at the local government level.

ANSWER

Your answer should include the following:

a) Instruments - Budget and Auditing

b) i) Budget

Define budget and relate this to plan

Mention the purpose or objectives and explain each

Identify what is contained in a budget especially the type of expenditure addressed in a budget.

The concept of the Authority to Incur Expenditure (AIE) and the fact that for every subsequent expenditure, it has to be authorized by an officer controlling votes.

ii) Auditing

Explain what the duty of an auditor is and why auditing in the first case (Is all about ensuring compliance with financial regulations)

Types of audit in local government – internal and external. Explain the role of each of these as they relate to expenditure control and accountability.

A feature of the 1988 Reforms that promote accountability i.e. The Audit Alarm Committee.

Highlight the role of the State Auditor General for Local Government.

7.0 FURTHER READINGS

H. I. Abubakar, Local Government Finance, Sources, Management and Stewardship in Operations and Problems of the Presidential System in Local Government (Department of Local Government Studies, A.B.U, Zaria, May 6, 1993.

Financial Memoranda in Local Government (Revised Edition), Dec. 1991.

Local Government Annual Estimates for any State of the Federation.

Federal Government of Nigeria Implementation Guidelines on the Application of the Civil Service Reform in Local Government Services, Lagos, 1988.

UNIT 21

LOCAL GOVERNMENT AS AN INSTRUMENT OF DEVELOPMENT

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1.0	Introduction
2.0	Objectives
3.1	The Meaning of Development in Local Government.
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1.0 INTRODUCTIONS

You may cast your mind back to unit 3 where we discussed the “theories of local government”. You may recall that local government play two important role and people assess them from those perspectives. These are democratic– participatory and service delivery.

At the grassroots level, people are more interested in imperial development i.e. what they can use in institution doing, and that is why the service delivery argument is compelling.

In assessing the role of local government in development, we are interested in physical development especially of a socio-economic nature. Likely, this

bails down to the projects which their general functions can be broken down into, or those programs and projects contained in their plans and budgets which they had hoped to deliver to communities within a given period of time.

The question is what have they been able to deliver and what have been the obstacles in the attempt to deliver those. These are the concerns of this unit, but the latter's properly discussed in the next unit.

2.0 OBJECTIVES

At the end of this unit, you should be able to:

- a) Identify what constitutes development at the local government level
- b) Describe the planning and development process in local government
- c). Identify the nature of projects associated with various section in the budget
- d) Give examples of what services have been actually delivered by local governments.

3.2 THE MEANING OF DEVELOPMENT IN LOCAL GOVERNMENT

The meaning of development may be difficult to pin-down but it points at some qualitative and quantitative advancement in structures, values and skills in a society. It talks about growth, modernization, urbanization, etc. It also talks about advancement, progress, increase, transformation, etc. Development therefore is movement to a much more desirable stage than the one presently experienced.

This is why scholars like Seen will ask of development questions like, what is happening to poverty? What is happening to unemployment?

Development is therefore supposed to tackle the obstacles by the human and physical environment. Conquering this means making progress.

Overall, development should be improving the content and quality of life of individuals or groups or the community as a whole.

In local government, such areas where such improvement is required are infrastructures like roads, markets, water, health and service areas like education, health, sanitation, works, etc. These are breakdown of local government functions. The question is how have local governments gone ahead to handle these projects and services and what has actually been delivered and at what cost. The question of the impact of these services do not constitute part of this write-up.

3.2. DEVELOPMENT POTENTIALS OF LOCAL GOVERNMENT

You are very much aware of the capabilities of local government to bring about development in local communities. These capabilities are based on their potentials. Such potentials are sourced from their constitutional basis, their financial wherewithal their quality of personnel, the quality of leadership and the support they get from the local communities. When these variables are rolled together in some optimum mix, there should be no reason for performing its role of socio-economic development.

What is required of local government is how to plan for mobilization (both funds and community resources) and translate these into services. Planning becomes the key instrument here but as we said, it must be backed up by good or dynamic leadership and a good human and capital resource base.

Let us look at the planning process in local government and how this facilitates development.

ACTIVITY 1

QUESTION

What constitutes the development potentials of local government.

ANSWER

1. Constitutional guarantee
2. Financial wherewithal
3. Quality of personnel (including executive and technical capabilities).
5. Quality of leadership
6. Community resources and support.

3.3 PLANNING AND THE DEVELOPMENT PROCESS IN LOCAL GOVERNMENT

Planning is considered as:

A proposal course of action of a person, group or government within a given environment, providing obstacles and opportunities which the policy was proposed to utilize and overcome in an effort to reach a goal or realize its objective or a purpose (Fredrick, 1963).

Simply put it brings to focus, the need to efficient allocation of ~~resources~~ in any society or by every organization.

It therefore refers to the process of preparing a set of decisions for future action directed at achieving goals by some means.

The key elements in a plan therefore are:

it has to do with the future

it is goaloriented

it is prescriptive (i.e. based on existing order, it prescribe steps to table for the future)

Planning is an administrative and management ability undertaken by governments, organization and groups.

In planning or a planning document at the local government level, goes through the following process:

- a) The statement of goals (or objectives)
- b) As analysis of system structure i.e. components of the problem and how they are interrelated.
- c) Evaluation and selection of possible solution to problems
- d) The design of the implementation procedure i.e. how these solutions are to be translated into concrete actions.

In local governments, there are both short term plans (rolling plan, 3 years period) and (perspective plans for much longer). All the national level, the perspective plan is between 15 – 20 years.

The importance of planning for development therefore is that the plan states its objectives in relation to development, the activities to be engaged in and how they are arrived at, the cost of the activities projects, and the strategies for implementing the activities.

It is these activities that translate into policies, programmes, sub-programmes, and projects in local governments. These are concretely conveyed or elaborated on by the local government budget where concrete plan for the year is drawn and concrete projects and services are itemized

including their costs. The approval of this, kick-starts their implementation. Remember that such projects are largely contained in the capital estimates of the local government. It is the implementation of these that translate into infrastructural and other socio-economic development in the local government. When particular projects in the plan cannot be implemented in a given year, it is rolled over into the following year. (This is indeed the principle of the rolling plan).
The question still remains – what have local government been able to do with all their developmental capabilities and potential so far.

ACTIVITY 2

QUESTIONS

What is the presence of development in a local government?

ANSWER

Plan- -----Policies-----Programme-----Projects
Plan- -----Budget-----Programme-----Projects and services
Plan- -----Budget-----Implementation-----Development.

3.4. ACHIEVEMENTS OR PERFORMANCE

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

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

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

3.4.1 GENERAL ASSESSMENT OF PERFORMANCE

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

The other mandatory functions which are largely revenue generation do not receive considerable attention either. Apart from markets and motor parks. Community tax and collection of rates on shops. Kiosk and premises, the very lucrative ones like radio and television licensing and property rating do not appear to be exploited. Infact most local governments in rural area rely on markets as their major source of internal revenue. In the same vein, services like roads, naming of streets, street lighting, recreation, sanitation and burial grounds and cemeteries are not given the right priorities.

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

So, the vibrant departments in the local government are primary health care, education until recently and agriculture.

Primary health care is implementing the national primary health care policy and therefore it receive additional funding or assistance from the federal and state governments and even international donors from time to time. In local governments, the UNICEF assisted programmes on capacity building and service delivery are evident. The Bamako initiative has also been a big project of the International agencies and the Federal government. Local

government build rural; health facilities, equip and staff them. The problem has been the sustainability of the drug flow.

Primary education was hitherto a programme of local government but the national primary education commission has taken this over. Remember, local governments still control this because deduction over teachers' salaries are made at source from their account. This has thrown many local governments into debts (This is the source from their account . This has thrown many local government into debt. (This is the source of the 'zero allocation' you have come to hear these days) The Commission build schools, so do local governments. Both bodies also equip them. The local inspection and coordination however rests with the local authority education committee of which the chairman of the local government still head.

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

In terms of rural works, local governments can boast of attempts to provide trunk C roads, culverts, drains, building of markets, and motor parks, small scale irrigation works, boreholes and well, television viewing centres, staff houses, district head house, latrines, and a few demonstration.

3.4.2 Specific Examples

To throw more light on the type of projects and expenditure local governments engage in, the Dambatta experience (in Kano State) of between 1987-97 is presented. So also the River State example featuring a few local governments is also presented.

1. Dambatta Local Government:

The table below shows the capital estimate of Dambatta local government between 1987-1991

TABLE 1 sectoral expenditure on projects

Year and expenditures

S/N	SECTOR	1987	1988	1989	1990	1991					
1.	ECONOMIC					N905,850 (43.54% OF TOTAL CAPITAL EXP.)	N389,02 (13.79%)	N154,085 (9.11% OF TOTAL EXPEN.)	N351,469 (26.64 % OF TOTAL EXPEN.)	N679.94 OF TOTAL CAP. EXP.	
2.	SOCIAL DEVT.					N37,888 (18.21% OF TOTAL CAPITAL EXP.)	N201,040 (7.12% OF TOTAL CAPITAL EXP.)	N164,307 (9.71% OF TOTAL CAPITAL EXP.)	308,025 (23.34% OF TOTAL CAPITAL EXP.)	N252,134 (14.65% TOTAL CAPITAL EXP.)	
3.	ENVIRONMENTAL DEVT.					N714,397 (34.34% OF TOTAL CAPITAL EXP.)	N724,766 (61.15% OF TOTAL CAPITAL EXP.)	800,000 (47.2% OF TOTAL CAPITAL EXP.)	N361,345 (27.38% OF TOTAL CAPITAL EXP.)	N510,876 (29.69% TOTAL EXP.)	
4.	ADMINISTRATIVE					N81,416 (3.91% (17.92% OF TOTAL CAPITAL EXP.)	N505,497 (17.92% OF TOTAL CAPITAL EXP.)	N573,868 (33.91% OF TOTAL CAPITAL EXP.)	N298,725 (22.64% OF TOTAL CAPITAL EXP.)	N260,000 (15.10% OF TOTAL CAPITAL EXP.)	
5.	TOTAL CAP. EXP	N2,080,550				(100%)	N2,820,334 (100%)	N1,692,250 (100%)	N1,319,504 (100%)	N1,720,9 (100%)	

Considering the above calculations on capital expenditure of the local government for the period 1987-1991, it can be deduced that the local government focused its attention more on environmental department (area development) and economic sectors. In 1987, economic sector alone gulped 43.54% on the total capital expenditure, when some lock-up shops and market stalls were constructed at different places in the local government area, as well as the walling of Dambatta cattle market. As for environmental development which attracted 34.43% of the total capital expenditure of 1987, this was due to the construction of culverts, feeder roads, drainage, boreholes and local wells were constructed at different places in the local government and administrative sector because the year witnessed the construction of drainage, culverts, and water supply as part of area development as well as the extension of local government secretariat, improvement of Dambatta and Babura village heads official residences, purchase of 4 Nos. new official

vehicles and sets of office furniture. In 1990 and 1991, economic and environmental; development sectors were on the lead when more lock-up shops/markets stalls, open sells, drainage and culverts were constructed.

2. Some Local Governm ents in Rivers State

The following is the outcome of a research done by Ogban Uiyam, in 1983 where he looked at projects undertaken by local governments, those abandoned and reasons for their abandonment.

The main thing here is to expose you to what type of projects local governments engage in. Even though no reason were given for abandoning projects, here, in the other states, reasons range from lack of funds, to interest by the local governments.

Below is his report and the table:

Some local governments in the Rivers state undertook the construction of waterways and floating jetties, besides the usual areas of activity and expenditure, such as untarred road, markets, culverts, office equipment and staff quarters. Public toilets were other unique items of expenditure in some of the local governments. Contractors default and the unwillingness of the ;local governments to account for many cases of non-completion-abandonment of projects. Some projects in a local government could not be completed due to land dispute. See Table 2 for a summary of the state of affairs in the local government areas.

Table 2 relations between physical projects started and those completed in rivers state

L.G.A PROJECT	STARTED IN ORDER OF FREQUENCY	PROJECTS ABANDONED	MAJOR REASONS	YEAR
YENOGOA	Untarred roads (300 km) 2 motor parks (1) markets (80 stalls) Sewage & Garbage disposal (1) New office Block/extension (1) Floating Jetties (3) Public Latrines (45) Bridges & Culverts (25)	1 markets (80 stalls) Sewage & garbage Disposal (1)	No reason given	1980
DEGEMA 1	Untarred roads (80km) 2 markets (25 stalls) 3 Water wells (154) 4 Drainage/construction (10) 5 Slaughter House (5) 6 New Office Blocks/Ext. (6)	NIL		1980
IKEWERRE/ETCHE	1 Markets (240 stalls) 2 Mono Pumps (13) 3 Slaughter House (3) 4 New Office Blocks/Ext (1) 5 Staff quarters (2) 1 Motor park (2) 1 Motor Park (1)	NIL NIL 1980		

3. Rating of local Government Functions in the North 1977

In 1977 research was also conducted into local governments functions and how people asses their performance .

The following tables rated these functions as per the 1979 Reforms and their performance.

**TABLE 3 FUNCTIONS REQUIRED TO BE ONE OF THE FIVE
RECEIVING MOST IMPORTANT ATTENTION BY LOCAL
GOVERNMENTS: 1979 (=N=138)**

*FUNCTION %of All LGs where
Ranked in Top Five*

Education	88
Agriculture Service	74
Collection of local taxes	61
Medical services	48
Rural and semi-urban eater supply	46
Community development	33
Road construction and maintenance	31
Maintenance of law and order	28
Markets and motor vehicle parks	21

As pointed out in the general performance above, you can easily discover that the concurrent functions are high on the list. These are Education, Agriculture and Medical and health services. Collection of taxes was pursued here as home community and cattle taxes were still very viable sources of revenue and the statutory factor had not yet been institutionalized in local government.

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

ACTIVITY 3

QUESTION

In what ways can we assess development at the local level.

ANSWER

- Analyzing how well functions are performed
- How much of the capital budgets of a local government has been implemented and can be observed on the ground
- How much of the plan has been implemented and can be observed in the ground.

4.0 CONCLUSION

Development in local government may not be straight forward to report. This can however be done by looking at functions, projects in plans and budgets and the physical or actual projects on the ground. To be meaningful, the financial allocation to these project and services will allow the appreciate the nature and quality of such projects.

The clue to understanding development at the local level is the capital budget. The amount allocated to this vis a vis the recurrent expenditure is indicative of the development potentials and attention.

Local governments tend to perform more of the concurrent functions than the exclusive ones. This is because it is less painful to spend than to generate revenue. The statutory allocation encourages them to spend without recourse to their internal source which leads to their lack of attention to these sources.

The items of expenditure of local governments remain very basic yet local government find it difficult to implement these.

The difficulty in providing services is a important as the level of services that has been delivered. The next unit looks at such difficulties.

5.0 SUMMARY

Having gone this unit we can summarise the main issues s follows:

- a) Developing a local level especially as contained in the functional schedule of local governments in mainly a socio-economic thing. These consist of projects, infrastructures and services.
- b) Local government's development potential lie in its revenue base, leadership quality and personnel quality, and support from local communities.
- c) General achievements or performance of local governments lie in the concurrent functions and a few items under exclusive functions. This is also confirmed by a study in 1979.
- d) Local governments spend more than they generate. The statutory allocation has been responsible for this.
- e) The examples from Dambatta local government of Kano State and some local governments in Rivers State show the pattern of expenditure and the items of expenditure. Expenditures are more "environment" in nature followed by economic, as confined by the Dambatta experience.

6.0 TUTOR-MARKED ASSIGNMENT

QUESTION

In what ways can we describe local government as an instrument of development at the community level?

ANSWER

Mention the following issues:

- Constitutional; guarantee of a third tier with effective staffing and financial devolution
- Allocated a set of functions that guide its operations. Its success at development can be measured around this (Highlight these functions and how far they carried these out).
- Prepares plans with short and long term objectives. Plans and budgets and activities. They culminate in projects and services-socio-economic development. (So long as these are well prepared, articulated and implemented at the grassroots level, then we can talk of local government as instrument of local development).
- Human resources mobilization. Community resources include human, material and financial resources. These can be harnessed by local governments using various strategies of development at the community level. Apart from concrete development, this could encourage participatory development and community awareness and even political development.
- Highlight the executive and technical capabilities of local government and the financial capacities facilitated by internal and external sources to back up this development.

7.0 FURTHER READING

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UNIT 22

PROBLEMS OF DEVELOPMENT AT LOCAL GOVERNMENT LEVEL

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6.0	Tutor-marked Assignment
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1.0 INTRODUCTION

In the last unit you were briefed on the role of local government in the development process. In that unit you were told that measuring development in local government can be done in form of infrastructural facilities provided and service delivered. Development has been largely discussed around functional, budgetary, and project activities.

You would have began to appreciate by now that providing social ~~ph~~ysical services at the local government level is a Herculean task especially if measured against the finances available and the contending priorities and demands of the local communities.

In this unit, you will concretely be exposed to the specific problems local governments face in providing efficient services or rural infrastructures. These problem revolves around the finances of local governments, personnel, politics, community or societal problems, intergovernmental relations and a lack of effective planning and ideology. These are the issues that are

discussed in the rest of this unit. These issues will help to bring together the different topical areas already treated in this course.

Our discussion is largely restricted to the Nigerian situation.

2.0 OBJECTIVES

At the end of this unit, you would be able to

- a) Identify the major problems militating against local governments (in Nigeria) in their development efforts.
- b) Raise two issues and discuss under each of these factors or problems.

3.1 PROBLEMS AREAS

As mentioned in the introduction, the problem areas to be discussed here are finance, personnel, politics and leadership, community attitude, intergovernmental relations and planning and ideology. This is one way of classifying these problems. It may not be as neat. A neater way is to look at these problems more homogeneously as institutional problems, political problems and societal problems. The first classification is favoured as just to allow us bring out the many issues generated by each problem. Let us now look at each of their problems.

ACTIVITY 1

QUESTION

List the problems of development identified in this unit.

ANSWER

1. Finance
2. Personnel
3. Politics and Leadership
4. Community Attitude
5. Intergovernmental
6. Planning and Ideology

3.1.1 FINANCE

Finance has been over-flogged in this course. It is the mainstay of local government development. Even when we analyse this issue of local government development, we talk more about finance, about capital

development, about how the competing needs is in the local government cannot be effectively brokered y effective fiancé. Too much money is spent on recurrent budget sometimes up to between 80-90% leaving a smaller percentage for social and economic services. This is not helped by the low internal revenue capacity of local government which amounts to, in average cases, not more that 10% of the total local government revenue. The over-dependence on statutory allocation has made the prospect of economic and social development painfully slow in local government. Coupled with this, leadership is slow to explore alternative sources of revenue in local government.

Despite the low level of finance, massive corruption takes place in local government. Both administrative and political officials are involved. Contracts are issued even to council staff and politicians see council as a place for rehabilitation and service to the community. Evidence of corruption surfaces from inspectors reports and probe panels into local government. In short moneys that would have be challenged into projects find their way into private pockets. The masses end up losing out.

3.1.2 PERSONNEL & COMPETENCE

Surveys have shown that in recent years the quantum of staff have increased. Also there has been more quality staff in administration than the technical and professional fields in local governments. A survey in 1997 by the UNDP shows that the Planning and Research Unit of local government has been under staffed and staff who manage these units do not receive any special training to prepare them for the job. One also hardly finds an economist or a statistician or a social scientist in this department. Many of the staff in the health offices are community health staff. Medical doctors are difficult to come by. Agriculturist are largely those who have gone for one diploma course or the other. The import of all these is the fact that planning for development is handicapped in local government because of the dearth of appropriate staff. Plans therefore become an incremental thing – a traditional mudding through, than an objective and data-fed document. Professional advise to politician too suffer as a result of the quality of intellectual weight brought to bear on the exercise. When it comes to implementation, it is replete with the same stories. Targets and standards in plans may suffer as a result of paucity of professional requirement and competence. Even where there are qualified staff to do this, they will still fall victim of the corruptive influence of society brought to bear by either the contractor or politician or community pressure. In summary, local government lacks the executive, technical and professional competence to formulate good plans and implement them.

3.1.3 POLITICS & LEADERSHIP

The attitude of politicians to development may not coincide with established ways to doing community needs assessment by the local government bureaucracy. Some projects are outrageously cited even without assessing their utility. Political criteria override data-base based. The politician imposes his will partly because of the impulse driven by his constituency needs and because of his party manifesto. More importantly is his perception of the community and the going-on the other tier of government. Because corruption is fashionable and politics has become an avenue for getting rich, he sees his period in power as his own opportunity to amass wealth. So the fragile resources base of local government is illegitimately depleted leaving crumbs for development purposes. This is the problem of development today. Governing has become a reward system for contractors and party supporters. There is a large retinue of local supporters who have to be catered for from the lean resources base of local government. Doing this is definitely at cross purpose with physical development.

Remember that it is part of this excessive bureaucracy and patronage in the name of democracy and participation that inform people's low emphasis on democratization at local level and a high emphasis on the service delivery school of thought. The cost of democracy leadership is high and the higher this is, the less emphasis on the efficiency services.

The point must also be made here that instability in leadership at the local level threatens the flow of development. Each time there is a change in leadership, the new leadership does not believe in the programs and plan of the outgoing leadership. There is therefore a disjuncture in development policy, plans and objectives. This is a big problem.

3.4.1 THE COMMUNITY

The communities often feel marginalized in development. Local government plans and execute them. Even community development efforts are not adequately supported by local government. Even where intervention occurs, it is not done in a participatory manner. The net effect of this is that the community feels marginalized from development programs and efforts. This also affects the sustainability of projects. The more programs and projects are community-driven and participatory, the more the community would want to own and sustain the program. This is a far cry from what happened at the local level. This is why the community is not bothered when a health centre is burgled or the roof of a primary school is blown off. They see themselves removed from the process as the initiative and execution was all by the governments.

Community attitude also reinforce the corruptive attitude of politicians. Instead of demanding for accountability from politicians who amass lots of wealth and status symbols while in office, they perceive this as the ultimate objectives of politics. Such political actors are acclaimed. They end up saying “this is his time”. The actor who does not seize such an opportunity branded s a “fool”. Going into politics means going to cut ones cake from the government. When in trouble communities rally round such “son of the soil”. This is a very negative attitude to anti-corruption and development. Where politics stops at primitive accumulation without results, development hardly becomes an objective.

3.1.5 INTERGOVERNMENTAL RELATIONS

Intergovernmental relationships in Nigeria is usually associated with control. Too many things are being controlled viz. personnel, finance, guidelines for administration practices, budgets, projects, etc. Control may be functional but to the extent that it facilitate the business of government in an efficient and effective manner, It has been realized however the control in a host of cases impede development. Control of finance i.e. revenue and disbursement has hampered development in the past. When money are centrally paid into a joint account for local governments, state government tamper with this thus reducing the volume of funds coming to local government for development. In Nigeria, many state government do not remit their 10% statutory allocation of their internal revenue to local governments. Worse still, local governments keep getting circulars and directives from the state that amount to extra-budgetary commitment. This is because even without their knowledge, approval would have been issue by the state government directing them to do certain purchases or contribute to one project or the other which in almost all cases may not have been certain purchases or their budgetary commitment. The implication is that they have to abandon their original budget to take care of such projects. This is not healthy for the idea of development, not to mention planned development at the local government level.

Furthermore, call circular from the Ministry at the beginning oif the budget exercise restricting their the expenditures of local government and allocations to certain area or sectors expenditure is not healthy for local government development. Development ought to be based on a need assessment of local communities. This functions should be performed by operational departments in the local government and with ready made data from extension workers. Such imposition does not also augur well for the political agenda of elected officials who want to deliver on their promises.

Intergovernmental relations and politics also demoralize the local government development efforts. Sometimes some state chief executives impose candidate on local government or communities and by the time candidate gets to power, he sees himself as more accountable to the state rather than the people. Sections of the community avoid his administration and refuse to be drawn into nay participatory overtures. The rapport between communities and such chief executive cannot suffice to create the necessary environment for development. Normally, politics is like that – a particular part of the community wins and the other loses but this can be aggravated if the invisible hands of the state aggravate the situation through unfair means.

State policies on personnel may also end up being detrimental to development in a way. Certain personnels of local governments are key to development efforts, Some of these personnel insist on the right thing e.g. the internal auditor who insists on following procedure or the head of Personnel who insists on standards before approvals are given and cheques released. The impatient local government chairman may consider this as an affront, or politicize these actions and brand these personnel's as enemies of administration. He liaises with state officials at the Service Commission and Ministry and effect such officer transfer. Pliable officers replace then and that would be the end of efficiency and quality project in that local government.

Associated with the above is the way inspectors reports are treated at the state level. Many of their reports (Which if acted upon would have checked one or two malpractices and free money and energies for development) are politically treated rather than the administrative consideration they deserve. This democratizes these inspectors and some of them get to “join them” in the non-challance or corruption game they play at this level. All these are not conducive to effective service delivery at the local government.

3.1.6. PLANNING & IDEOLOGY

Local government plans in Nigeria are supposed to feed into state and national plans. In the 1975 plans, the federal government came up with vary catchy phrases that defined the objective of the plan such as a just and equalitarian society, a land full of opportunities etc. These were supposed to also serve as the ideology of the plan. Since then subsequent plans built their overall objective around these.

However, the implementation of plans since 1974-80 has not demonstrated any systematic effort to achieve the objectives. Instead plans have become more and more meaningless because they become mere documents intentions rather than document of commitments.

This attitude has spilled over to the state and local governments. ~~State~~ Governments have not demonstrated any leadership planning neither have they showed any commitments. If plans are the instruments for development (which they are) the lack of commitment to them means lack of systematized development. The type of development that takes place at the state and local government levels are impulsive, haphazard and un-coordinated. We cannot see the commulative effects of a plan neither can we see evidence of phased development.

Even in the type of development, planning has not benefited the ~~popul~~ population much. The state and local governments are satisfied with provision of social services and rural infrastructures. Their hope is that this will always stimulate the rural economy. There is no direct or concerted attempt on their part to intervene in real economic development. Attempts have stopped in either agriculture or building of rural markets. Agriculture production is not enough to stimulate the rural economy. Even then it is bedeviled by many problems. Markets can be seen as mere social ~~and~~ commercial entities that facilitates trade. The real problem is in the area of production. Agricultural production alone cannot improve the economic nature ought to have been promoted by now So also glaring area like small scale industries of an agrarian nature and of a nature relevant to community resources. Such direct interventions are lacking and until more investment is planned in employment generating ventures in rural communities, the standard of living of the rural person will not appreciate. This is really the challenge for local government and other tiers of government as they plan for rural development. The capitalist ideology which operates at the national level must also start penetrating the rural areas for concomitant development.

All these will require a more positive and dynamic and even selfish attitude to development on the part of leadership than we have now. This is because this requires substantial capital outlays and sustained monitoring and interaction with local communities. Of course with such economic intervention, efficiency and the profit motive will be overriding as differentiated from social services.

ACTIVITY 2

QEUSTION

Highlights the main issue under Finance.

ANSWER

1. Finance is the pivot of development. Lack of it will stall development
2. More allocation to recurrent budget than capital (Problematic because -capital is the major index of development.
3. Over dependence of local government on statutory allocation. When anything negative happens to such funds, it effects development negatively.
4. Low level of internal revenue effort and yield.
5. Corruption and mismanagement – takes money away from development
6. Lack of financial accountability – takes money from development

(The last two points create negative attitude to development)

4.0 CONCLUSION

From the discussion above, these problems can be classified as institutional problems, political problems and societal problems. A lot of problems have been institutional, This will include personnel, finance, planning, certain problems of intergovernmental relations that related to the way local government operate. The discussion could have taken this format but it were better at this stage to isolate these variables in the text for analysis for better understanding.

In all the analysis, the strong factors and the attitude to development. This is because if the finance is available and the attitude to development is negative, the funds will still go down the drain in mismanagement and other corrupt practices.

Even for the whole country the threat to development has been that of attitude. It has become the malaise of politicians and career civil servant. Both parties cooperate to channel resources away from planned activities and starve the development process. The bureaucrats do the paperwork and cover up. Despite all the accountability measures, loopholes are still opened by those who should close them. The value system of the society has to change for any meaningful development to take place at all levels of government

5.0 SUMMARY

In this unit, we have discussed briefly, the problems local governments face in the development process.

Six problems areas have been discussed. Briefly we have said the following

- a) Finance – This is the bedrock of local government development but in term of revenue base and even the way these revenues are managed, they do not portend good prospects for development
- b) Personnel and Competence – There is the problem of qualified personnel in the technical and professional departments in local government and unfortunately these are the staff that implement and monitor local government development projects.
- c) Politics – The attitude of politicians is such that they see local government as a rehabilitation centre rather than as instrument of development. They pursue policies that promote their welfare than the overall development of the institution and the society. A very important factor in policies and leadership is the unstable leadership at the local level. This encourages disjuncture in development, important factor in policies formulation
- d) Community Attitude – The value system of the community is such that does not promote development. It encourages and condones corrupt practices which is antithetical to development. Furthermore local government policies alienate communities especially at the level of participatory decision making and so communities feel marginalized and are unaffected by the government programmes.
- e) Intergovernmental Relation – Control of local governments can be negative to development. This manifest in interference in local government service. Such interference preventing local governments from implementing their plans and budgets since state governments direct from time to tome new expenditures to be funded by local governments (outside local governments own budgets). So also delays in approval of budgets delay the implementation of these budgets thereby threatening the timing an target of activities planned for.
- f) Planning and Ideology – The plan document has become just a document of intention and not of commitment. All tiers of government pay lip service to plans. There is no sustained ideology commitment to the spirit of the plan. A lot of effort has been placed on social service and infrastructural development at the local level and very little on economic development. These is no way the rural area can developed if we continue this way. There has to be concerned and sustained economic development programs by all tiers of government

6.0 TUTOR-MARKED ASSIGNMENT

QUESTION

In what ways has planning and ideology become a problem of development in the local government level.

ANSWER

Should include the following:

- Plans at the local level are not meticulously prepared. They are just incremental and perfunctory exercise.
- Document of intentions that are not followed in development activity or at the stage of implementing development programmes at the local level. It is a reflection of what happens at federal and state levels but worse at local level
- Where plans are not followed, there is the problem of planned or structures or systematized development. This provide no way of knowing how balance development is going and therefore mismanagement of resources (Lack of phased development)
- Concentration of provision of infrastructures and services that are socio- economic in nature. There have been no real intervention in the rural sector to directly stimulate the rural economy – no industries, no cottage industries – not agro-based industry – no inventory of rural skills and resources endowment plus a deliberate and sustained effort to encourage industries around this. Employment generation from an economic interventions low. Wealth cannot be generated and therefore people remain poor.
- Capitalist ideology does not seriously penetrate the rural economy. No free flow of capital. This is restricted to urban centres. Need to make the capitalist ideology work in rural areas too. Local government must move from social-economic or infrastructural concerns to issues of industries. Even commerce may not be good enough. These should also concern both the state and federal government.
- Attitude to development on the part of government has not been positive and sustained. It has been a stop-gap affair. Need for more capital outlays at the local level encouraging composition, the profit motive and sustained monitoring. Investment need to be encouraged alongside government.

7.0 FURTHER READINGS

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UNIT 23

LOCAL GOVERNMENT & HEALTH –CARE DELIVERY STRUCTURE, ORGANIZATION AND STRATEGIES

TABLE OF CONTENT

1.0	Introduction
2.0	Objectives
3.1	Structure and Organization of the health Department
3.2	Activities and Strategies
4.0	Conclusion
5.0	Summary
6.0	Tutor-marked Assignment
7.0	Further Readings

1.0 INTRODUCTION

One of the concurrent functions of local government among others is provision of health care service to local communities. Local government is supposed to do this in conjunction with state and Federal governments. This has always been a traditional function of local government even right from colonial times. Very modest showing was made in areas like dispensing, drugs and treatment though auxiliary staff involvement in health education and immunization. From 1988 however, the responsibilities of local government has expanded with the Federal Government redefining the focus of local government in health care delivery. Local governments were now to focus more on primary health care whose content is dominated by preventive health services.

This was to include:

1. Food and Nutrition Services
2. Maternal and child Health Planning Services
3. Provision of Essential Drugs
4. Environmental Health services (water & food hygiene)
5. Immunization
6. Health Education
7. Control of local endemic Diseases

8. Treatment of Common Diseases

Local Governments have tried to grapple with these services since 1986 when the national Health Policy articulated these services and the structured and resources that would aim in delivering such services.

The aim of this unit therefore is to look at how local governments ~~structures~~ and organized to carry out these services and what activities and strategies they adopt in doing so.

At the end, this will form an attempt to give you an insight into how one of the Departments in the local government works in term of services.

2.0 OBJECTIVES

At the end of this unit, you should be able to do the following:

1. Present an organizational structure of the Health Department of local government
2. State the roles and functions of the PHC Coordinator, and the Health Committees of the Local Government.
3. Identify the Preventive and Curative Health activities of local government and which units are associated with these.

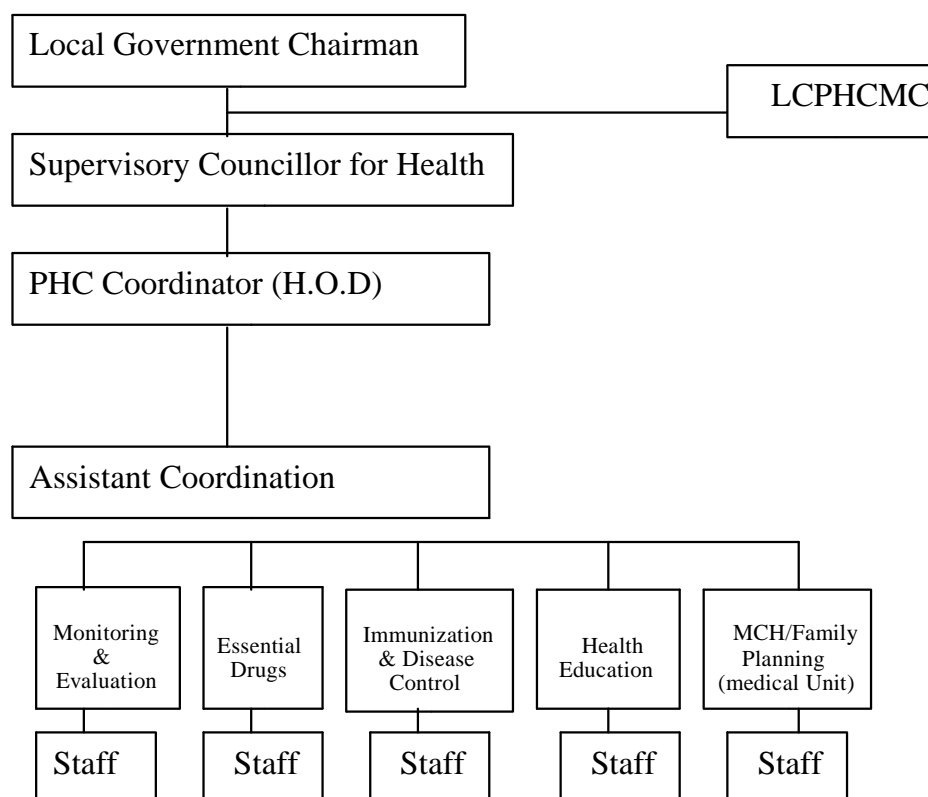
3.1 STRUCTURE & ORGANIZATION OF THE HEALTH DEPARTMENT

According to National Health Policy (NHP) the specific roles of ~~local government~~ or the Health Department among others are:

Motivating the community and devising local strategy for health in terms of the best approach for implementation of each element of the PHC, ~~the~~ activities involved, the support system, involvement of the communities, mobilizing resources,, ensuring the availability of essential infrastructures for health delivery and collection of relevant data on community health.

In pursuit of these and the PHC programme itemized earlier on the PHC Department, is structure and organized in such a way as to meet ~~the~~ requirements.

STRUCTURE OF THE PHC DEPARTMENT



As can be seen from the diagram, the Health Department (PHC Department) is divided into five units, each unit being manned by an Assistant PHC Coordinator, all reporting to the PHC Coordinator. There are staff under them who carry out daily activities directed at the realization of the objectives of the specific unit.

Prior to this arrangement, and even indeed in some local government presently, two broad classifications of the Health Department is visible viz: the Medical Unit and the Health Unit. These five categories can be better identified under these two units. The truth however is that the health Unit is getting larger and wider in responsibility and services, i.e preventive services. Curative health, which is done by the medical unit is still represented by clinics or health facilities and distinct to basic or common diseases, which is being complemented by a system of referrals at district, local and state levels

depending on the severity of the ailment and perhaps convenience of the referral facility:

The PHC Coordinator is the effective head of Department. He ensures that the activities of these units and service are running and well coordinated. He reports to the Supervisor and the Chairman. In addition to these roles the Approved Scheme of Service states that as the head of Department:

- i) he takes charge of a local government medical and health departments;
- ii) assists in the formulation of medical and health programmes;
- iii) coordinating the preventive and curative services;
- iv) giving professional advice to the local government;
- v) liaison with the state and federal medical/health agents in the local government area,

The head of department is in constant dialogue with the chairman of the local government, often times through his supervisory councillor. This is because the health department has come to control enormous resources and responsibilities over the year.

Organization and planning of health care also take place at COMMITTEE level. In local government, three of these committees are visible, operating at the level of the community (village) district and local government. The organization is also incidental to the conception of the PHC and subsequent health programmes in local governments.

The committee at village and district levels are composed of the traditional ruler, school teacher, local business elites, some elders. Groups, relining leaders, head of health facility make up the district health committees while from there, representatives are also sent to the local government to serve on the local government Health Management committee (LGHMC) together with the Local government chairman, the PHC Coordinator as secretary, the Supervisor councillor for Health, and professional interests.

The major functions of the LGHMC are:

- a) formulation of project proposals:
- b) delivering comprehensive Health services through community participation and inter-sectoral collaboration,
- c) collection of basic data for service and resources
- d) mobilization of resources for health programmes and implementation in the spirit of self reliance.

The District health committee assist in policy formulation of health activities in their respective districts. So also, they monitor evaluate health programmes and coordinate health activities of villages under them.

The functions of the Village Health Communittees include:-

1. The identification of health and health related needs of the community;
2. planning for health and welfare of the community;
3. supervising the implementation and development of health plans;
4. monitoring and evaluating the process and impact of the implementation of health activities;
5. supervising the activities of health workers and providing them with necessary support;
6. liasing with officials (health or otherwise)living in the village to provide health care and other developmental activities;

All theses committees are supposed to meet once in a month and the local government should promote good communication between these committees.

ACTIVITY 1

QUESTION - List 8 Programmes Of Phc

ANSWER

They include:

1. Food and nutrition
2. Material and child health/Family planning service
3. Provision of Essential Drugs
4. Environmental Health Services (water and sanitation)
5. Immunization
6. Health Education
7. Control of local endemic diseases
8. Treatment of common diseases

3.2. ACTIVITIES & STRATEGIES

As pointed out earlier, activities of the Health Department revolves around the programmes of the PHC. To do this, each Assistant coordinator is charged with implementing these programmes. For example, the Monitoring and Evaluation (M&E) Officer either alone or in company of other principal officers visit local health facilities (especially district health facility) at least once in a month. On such visits, he looks out for:

- the state of drugs
- drug revolving funds, where in operation
- monitoring of accounts
- stores, and
- staff

In doing this, he however faces problems of availability of vehicle for trips, equipments, inadequate forms especially on immunization, and fund support for travels.

Furthermore, on preventive health, local government for children and mothers. In recent past this has been given a boost by the National Immunization Days (NID). In the 1990s, both the Oral Rehydration Therapy (ORT) and Expanded Programme on Immunization (EPI) now NPI, dominated the preventive health activities of local governments especially as far as maternal and child health is was concerned.

Coupled with this health education with antenatal and post-natal services available in clinics. Health talks are arranged against these. Moreover, home visits and public enlightenment on health care are undertaken from time to time, emphasizing the issue of sanitation and personal hygiene, common ailments and where to refer these to nutrition etc.

At the curative level, local; government, even before the NHP of 1988 have been most active in the area. In a typical local government for example, one could have comprehensive Health Centres, primary Health Centre, Health Centres/Clinics, Mobile Health clinic, Village Health Clinics.. A summary of these could be General Hospitals, Health Clinics and Dispensaries.

The picture in Akwanga Local Government as at May, 1990 depicts the health institutions above thus:

With the awareness and patronage given to scientific medicine by the citizens of Akwanga Local government Area and indeed the whole country. Akwanga local government can boast of several health institutions in the area at present. The Akwanga local government has as at May 1990 twenty five dispensary scattered all over the area of its jurisdiction which are operational. The maternal and child Welfare Clinic in Akwanga town which formally has two beds for delivery has to be extended to meet the volume of case admitted in the centre. The Clinic formally has two beds as mentioned has been expanded to accommodate with more beds making ten (10) and the commissioning was performed by the wife of Plateau State Military Governor. Hajiya Asabe Kama on the 31st October, 1989. Nursing and expectant mothers interviewed responded that it is cheaper to register with the centre than any other private clinic and that the advice given by

the centre during one week health talks makes those who made use of the apply their (staff) instructions and that is saves their money in many occasions that they might go to clinic if left ignorance of the talks.

There is no General Hospital in Akwanga local government area. The only government hospital is the Cottage Hospital at Nasarawa Eggon. Apart from the cottage hospital there is are also other state government health institutions in Akwanga local government area these include the Rural Health Clinic Nasarawa Eggon. Basic Health Clinic. Gudi Station, Health Clinic Andaha and Wamba. The Health Clinic at Langalanga and Mada Station has not been operational although construction work has been completed and are ready to be put to use. The General Hospital proposed for Akwanga during the second republic is still under construction. There are also hospitals established by voluntary organizations and private individual. Like Our Ladies of Apostles Hospital Akwanga, Nawarke Hospital, Imani Hospital;, Church of Christ in Nigeria Hospital Alushi to mention a few. The interesting time things to note here is that the Church of Christ in Central Nigeria has a Leprosy settlement in which they admit patients for treatment. There are numerous dispensaries owned by private individuals not to make mention of chemists.

Table showing some health institutions in akwanga local government area as at 1990

	STATE	LOCAL GOVT.	PRIVATE ORG.
Hospital	2	-	5
Material & Child Welfare Clinic	-	1	-
Rural Health Centre	1	-	-
Basic Health Clinics	1	-	-
Health Clinics	4	-	-
Sipensaries	-	24	15
TOTAL	8 25 20		

The Hospital is under construction

There are four health clinics constructed but only two are as at may, 1990 functioning

The picture must have changed tremendously between 1990 and the present. However, the effectiveness of these institutions would depend on the quality if staff, financial backing, availability of drugs and other medical supplies, and facilities, and the mobilization of people to patronize modern medicine.

ACTIVITY 2

QUESTION

Give the full meaning of these acronyms

PHC, NHP, M&E, NID, EPI, NGOS, UNICEF, DFID, LGPHCMC

ANSWER

PHC - Primary Health Care

NHP - National Health Policy

M & E - Monitoring and evaluation

NID - national Immunization Days

EPI - Expanded Programme on Immunization

NGOS - Non- Governmental Organizations

UNICEF - United Nations Children Emergency Fund

DFID - Department For International Development

LGPHCMC - Local Government Primary Care Management Committee.

4.0 CONCLUSION

Health care delivery at the local government level only received a boost the 1988 NHP. Since then a lot of people responsibilities have been shifted to local governments. At a point in 1991/92, State governments had to transfer some health institutions and health staff without adequate financial backing.

Over the years, foreign donor and local NGOS have played an important part in redefining the implementation and financing of the PHC. Notable among these are UNICEF, UNDP, DFID, etc.

Looking at the department now, it sometimes appears to be the most effective field department. The question is whether local governments will seize the opportunity of improved attention and funding to health, especially with foreign partners and donors, to effect major changes in health care dispositions and well-being of the rural people. Another challenge is the level of involvement of the local population in both formulation and implementation of health policies. This, the foreign partners know how to do very well and it is high time local government moved beyond the traditional approach of medicare to a more progressive community health approach as enunciated in the NHP.

5.0 SUMMARY

The summary of this unit can be made as follows:

- The Health Department is an operational department with its main activities in local communities.
- Its activities can be divided into Preventive and Curative aspects.
- Most units in the Health Department are designed to implement the Primary Health care (PHC) aspect of the NHP. There are 6 units.
- The PHC Coordinator is the Head of Department and ensures overall planning and delivery of health activities with the active support of his supervisory councilor and chairman.
- There are three vital committee Viz: the LGPHCMC and the Community-Based ones like the District Health Committee and Village Health Committees.
- Health services will become effective given adequate quantity and quality of staff, sound financial backing, availability of drugs and other medical supplies and facilities and effective mobilization of the community.

TUTOR-MARKED ASSIGNMENT

Question

What are the strategies adopted for effective health care delivery at the local government level?

Answer

Should highlights the following:

1. The fact that local government now implement the PHC aspect of the NHP
2. Structures in such a way that administration involves both political and administrative structures with both operating down to the grassroots level. (Please draw this structure) These structures also cooperate down the line
3. Six units which deliver preventive and curative health and monitored by a Monitoring and Evaluation Unit. (Their roles).
4. These units carry out the activities on the field either with resident or occasional extension health talks or food and nutrition education or for community mobilization or for immunization of EPI programme etc.
5. Good supervisory and monitoring systems and also a strong reporting system.

6. Committees meet to review successes and weak points from time to time.

7.0 FURTHER READINGS

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UNIT 24

LOCAL GOVERNMENT IN NIGERIA: AN OVERVIEW

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3.1	History, Development and structure of Local Government Since 1914
4.0	Conclusion
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1.0 INTRODUCTION

This unit is presenting an overview of Nigeria Local Government System as one of the round up presentation for this course. It is called the Local Government Year Book of 1988.

The paper traces the history of local government very briefly from 1914 to 1998, almost the eve of the exit of the military. One should then expect to see more of the exploits of the military with local government in Nigeria since they have dominated the political scene in Nigeria since 1990.

The landmarks in the paper are the policies of the colonial government especially with the Native Authority Ordinance of 1933, and the Native Authority Laws of 1950 and 1954 in the various regions. Others are the reforms by the military on 1966, the Local Government Reform of 1976, Revenue Allocation Act of 1981, the Dasuki Committee Reform of 1984, the 1991 and 1997 Decrees on Local Government and the various Constitutions and the local government systems.

As you go through this, flash back to some of the things you have already learnt on Nigerian Local Governments in the previous units. This will also serve as a synthesis.

2.0 OBJECTIVES

At the end of this, you should be able to do the following:

1. Highlight the main developments in local government under the following: colonial government, military government and civilian government.
2. Highlight the key features of the 1976 and 1984 Reforms
3. Comment on the recurring local government creation in Nigeria.
4. Comment on the fluctuating revenue allocation to local governments.

3.1 HISTORY, DEVELOPMENT AND STRUCTURE OF LOCAL GOVERNMENT SINCE 1914

Although Nigeria was amalgamated in 1914, the first national legislation on local government administration was enacted two years later. The Native Authority Ordinance, 1916, empowered the Governor-General, Sir Fredick Lugard, to appoint a Native Authority for any area for local administration. This colonial legislation replaced all pre-colonial, indigenous system of local administration. Such systems varied from the hierarchical emirate system of the north through the monarchy system of the west and the republican system of the east to the diffused systems of other areas. However, because of necessity, the British could not do away entirely with the traditional authorities where they existed. Instead, the colonial administration incorporated them into the new system of local administration. Indirect rule, as the system was called, revolved around the traditional rulers who, alone or in concert with others, were defined as a native authority.

The Primary function of a Native Authority under this Ordinance was the maintenance of law and order. Consequently, the Native Authorities were empowered to check or prohibit behaviour that the Colonial authorities considered offensive. These include the manufacture and distribution of local liquors, the holding of drinking bouts, cultivation and supply of noxious plants and carrying of arms. In addition, they had power to regulate the cutting of timber and to prevent water pollution, tax evasion and any conduct likely to disturb the peace. They could also make it compulsory the people under their authority should report the outbreak of infectious diseases or the presence of stolen goods in the community.

The focus of the Colonial Government on law and order at this time was understandable. British colonial authority over Nigeria was an imposition. Without a reliable system of enforcing its authority, the colonial enterprises would collapse. Thus, the Native Authorities were subject to the directives of colonial Administrative Officers. A Native Authorities was liable to a fine if it did not carry out the instruction of an Administrative Officer. By 1933, most of the Native Authorities had fairly effective Treasuries and native

Courts. Consequently, the native Authority Ordinance, 1933, extended the regulative powers of the Native Authorities to cover the migration of people from, or into a native authority area, bush burning, movement of livestock, the registration of births and deaths and the cultivation of food crops. In addition, the Native authorities could, subject to the approval of the Governor, organize to provide public services and charge rates for their maintenance. Native authorities that had the means, therefore, began to provide services to their people.

The Richards Constitution of 1946 restructured Nigeria into three regions which assumed responsibility for the reorganization of local governments. Thus, the country abandoned a national local government system. Exercising her autonomy over local government policy granted by the Richards Constitution, the Eastern Region set in motion the machinery for reforming the Native Authority system in 1948. The report of the Eastern House of Assembly's select Committee appoint to advise the Regional Government on the reform of local government culminated in the Passage of the Local Government Law, 1950. The Law introduced a three-tier representative local government system in the Eastern Region.

Similarly, the Western Region adopted the representative local government system when it passed the Local Government Law, 1952 in the Northern Region also, the process of reforming the native authority system began in 1950 when the House of Assembly established a commission of inquiry into the native authority system. The resultant Native Authority Law, 1954, however, made only moderate changes in the system of local government administration.

The adoption of the federal system in 1954 meant that each Region kept trying separately to revamp her system of local government administration in the face of severe shortcoming and criticism. The larger local authorities had ample financial resources, reasonable level of staffing and the capability to provide basic services. Smaller authorities lacked adequate finance and quality personnel: therefore, they provide few services. Because the regions themselves needed investment badly, they could not affect to give grants at a level that would change positively the finance of the local authorities.

The military take-over of political power in 1966 led to radical changes in the system of local government administration in the regions and the states that later replaces them. The initial reforms focused mainly on correcting the political abuses perpetrated by local officials. Therefore, the local constabulary, courts and prison were taken over and integrated into the national police, judicial and prison services. In 1967, following the creation of twelve state out of the four regions. All the states began to carry out

reforms of their local government system. The six northern states expanded the scope for popular participation in local government administration. The southern states also tried new measures to improve their system of local governance. The East Central, South Eastern, Rivers and Mid-West States adopted system of local administration (Development Administration) which merely deconcentrated powers of the state government to the localities. Under this system of deconcentration, It was the Resident or Divisional Officer who represented the state government in the locality that was vested with the powers of a local government. He consulted and often acted on the advise of a local representative council but he could also ignore it. The Western State adopted the Council Manager system under which the Council confined its role to policy formulation only but appointed a Manager for day-to-day management.

These reforms did not, however, effectively address the most fundamental problems of the local authorities which was poverty. This was tackled by the 1976 local government reform. The 1976 reform was remarkable for many reasons. It was initiated and coordinated by the Federal Government. From the national consultations carried out at various levels, the Government produced a document that spelt out the reform philosophy – the Guidelines for Local Government Reform. All the states edicts on local government had to conform to the guidelines. Therefore, a national system of local government administration was estores. Consequently, all local governments in the country had a common structure, sources of revenue and personnel management system.

The new system of local government administration was democratic. Each local government council was the local authority for its area and, at least, seventy-five per cent of its members were elected, while the rest were made up of nominated members. The councillors elected their chairman subject to the approval of the state governor. Supervisory councillors were elected from among the councillors who served as the political heads of departments of the local government. Together with the chairman and at least two members, they formed the finance and General Purpose Committee of the local government. This was the coordinating committee or cabinet of the local government council. However, the reform designated the local government's secretary as the Chief executive officers of the local government.

Even more significant, the reform set out to establish local government as an effective third-tier government, in particular, since Nigerians perceive government as the most important agent of development, local governments should effectively play a developmental role. This goal shaped key aspects of the reform. It meant that the local governments had to have a definite role

defined for them by law that was respected by higher tiers of government. The implied autonomy of local governments would be allowed if it was not backed by adequate financial resources, legislative authority and competent personnel to carry out their functions. Thus, the responsibility for local governance was placed on the elected council. The 1976 Local Government Edicts of the state contained a mandatory list that was immediately developed to local governments and permissive list to be developed to them as they acquire the financial and other capabilities to carry them out.

The Government made an attempt to improve the staffing of local governments through the establishment of a Local Government Service Board. Its main duty was to recruit qualified staff for the local governments and to deploy them appropriately. The establishment of the Local Government Service Board which recruited the senior staff of local government unifies each states' local government services. A senior staff in the Unified Local Government Service could be transferred to any local government where he or she was needed. The advantage to the local governments was obvious. The system ensured that each local government received a reasonable number of qualified staff. To the staff, on the other hand, the Board guaranteed job security, brighter promotion prospects and protection against arbitrary termination of appointment.

The personnel management aspects of the reform were attractive but not inadequate to ensure that the local governments had all the qualified staff that they needed. The Government had to go further to induce qualified people to go into local government service by introducing equal salaries for equivalent positions in the three tiers of government. With pay parity, local government service ceased to be viewed as necessarily inferior. In addition, in 1979, the Federal Government started training programmes for local government staff at the Ahmadu Bello University, Zaria, Obafemi Awolowo University, Ile-Ife, and University of Nigeria, Nsukka, to boost the quality of local government staff in these institutions. To enhance local governments' manpower development, one per cent of the local governments' allocation from the Federation Account is deducted at source into a training fund administered by the Local Government Service Commission, as it is now known.

The reform also tries to revamp the finance of the local governments. First, all the debts of the local governments were written off to give them a clean financial slate to take off from. Second, the government decided that the local governments in each state should receive statutory allocations from their revenue and from the Federation Account. In 1976, the Federal Government allocated N250 million to the local governments to start off the scheme.

Similar huge sums were allocated experimentally from the Federation Accounts until 1981 when the Revenue Allocation Act, 1981 provided that the allocation should be ten per cent respectively of the Federation Account and a state's total revenue.

Traditional rulers were organized into an Emirate or traditional Council under the reform. The law empowered them to advise the local government or the state government on matters pertaining to local governance. Religion, arts, and culture, chieftaincy and customs with their areas. Where it was the tradition, they could also assist with assessment and collection of local taxes. The goal; was to shield the traditional rulers from the unpleasant effects of imminent party politics while at the same time guaranteeing that they had respectable involvement in local affairs.

For a while, these reforms put local government administration in Nigeria on a sound footing. All the main features of the 1976 reform, therefore, were incorporated into the 1976 Constitution which guaranteed a system of democratically elected local governments and provided for the statutory allocation of revenue to the local governments. The list of functions of the local government was written into the Constitution.

During the second republic (1979-1983), however, many of the features of the 1976 reform were violated because of the pressure of party politics. The state government suspended the elected local governments that were already in office when they were elected. They replaced them with their nominees and created new local governments without, in many cases, following the due processes of the law. Consequently, the number of local governments rose dramatically from 301 to over 900. The state governments also did not regularly transfer ten per cent of their revenues to their local government. This was due to their own impoverishment as to their willful desire not to make transfers. Many state governments even encroached on the revenue resources of the local governments by taking over taxes or executing revenue yielding projects that the law had made exclusive to local governments.

Because of these violations of what appeared to be a national consensus on local government administration, the Federal Military Government appointed a 20-man Committee to review the system of local government administration after sacking the elected politicians of the second republic. In the meantime. It abolished all the new local governments created during the second republic. The committee on the Review of Local Government Administration in Nigeria headed by Alhaja Ibrahim Dasuki in its report affirmed the soundness of the 1976 reform. In the Committee's view, whatever problems there were arose from the attitudes and behaviour of the operators of the system.

Therefore, its major recommendations concerned how to restore the main features of the 1976 reform that had been violated. The committee endorsed the main functions assigned to local governments in 1976 but recommended that, given the resources available, local governments should concentrate their efforts on a limited range of basic services. It frowned on governments' encroachment on revenue sources of local governments and denounced their failure to make statutory contributions to their local governments. Acting on these recommendations, the government began reforms that initially concentrated on correcting past abuses. The government started to transfer allocations from the Federation Account directly to the local governments and state were enjoined to desist from encroachment upon the revenue sources of local governments.

To enhance the autonomy of local governments, in 1988 the Federal Military Government announced the abolition of the States' Ministries of Local Government. They were replaced by a Department of Local Government in the Governor's offices. In the same year, the Civil Service Reform was extended to local government. This reform designated the chairman as his local government's chief executive and accounting officer. The local government administration was restructured into six department of coordinate status. This further enhanced the authority of elected officials compared to the local government's secretary whose role and authority became correspondingly reduced. Before then, in 1987, the Federal Government has asked all state governments to establish a Pensions Fund and to support a Board to administer it to ensure that staff pensions could be paid on time.

In June 1991, the Local Government (Basic Constitutional and Transitional Provisions) (Amendment)(No.23) Decree extended the presidential system to local government administration. The local government's council acquired full autonomy to approve the local budget and to pass bye-laws. Thus, the local governments' autonomy was further enhanced. The financial autonomy of the local governments was underscored by a circular from the Chief of General Staff in August, 1992 (Ref. No. VP/925/Vol. II) which removed the spending limits above which the local governments needed to obtain the approval of the authorities.

The changes were reinforced by enhanced revenue allocations from the Federation Account. In 1990, the allocation to local government was increased from 10% to 15%. This was further raised to 20% in 1992. Therefore, local governments not only had expanded autonomy, they also gained substantially bigger revenues. To ensure that citizen derived full benefits for the enhanced revenue allocations, the government tried to revamp the systems of internal checks and balances inherent in the presidential

system. An Audit Alarm System was introduced with the application of the civil service reforms to local government administration. In addition, each state appointed an Auditor-General of Local Government to carry out regular audit of local governments' accounts to deter and detect abuses. However, the government also eroded some of the benefits from these policies by substantially increasing the number of local governments from 301 to 449 in 1989 and 589 in 1991.

The exuberance of some local government chairmen in exercising their newly won autonomy led to flagrant violations of the system of checks and balances and financial abuse. This raised doubts about the wisdom of granting them so much autonomy and provoked fresh restrictions on the powers of local governments. In 1995, new guidelines were issued that required local governments to submit to stricter control of the state governments as in earlier years. The inspectorate role of the state governments was enhanced to check abuses. Since most abuses came in the wake of the introduction of the presidential system to local government administration, that was abandoned for the council form adopted in 1976. 1997 which regulates the operation of the local governments has once again fused the council and executive. Consequently, Local Government Chairmen have again appointed Supervisory Councillors from among elected councillors to provide political leadership to the Local Governments' departments. However, the decree preserves the legislative autonomy of the local Governments to make appropriate laws.

The Federal Government's initial role of coordinating local government reforms has progressively expanded because of the inertia of the states. Because all reforms since 1976 have been initiated by the Federal Governments, It became necessary to upgrade the administrative machinery for coordinating local reform policies. Therefore, in 1993, the Federal Government established the Ministry of States and Local Government Affairs to manage inter governmental relations. In 1995, it was transformed into the State and Local Government Affairs Office and moved to the Presidency. It is the governments' main agency for monitoring developments in local government administration, designing necessary reforms and steering the, through the various stages of approval at the local, state and federal levels.

Also, in 1995, the Federal Military Government appointed a committee on the creation of States and Local Governments on the recommendation of the Constitutional Conference of 1994-95. Following receipt of the recommendations, the government again increased the number of local governments to 774. With the revenue to local governments still at 20% of the Federation Account, the greatest challenges facing them as we approach the Twenty-First Century are inadequate finances and low executive capacity.

ACTIVITY 1

QUESTION - List 5 major epochs or reform of local governments in Nigerian local government system since independence.

ANSWER

1. The 1966 coup and the dismantling and take over of the native authority policies and prison
2. The 1976 Reform
3. The Dasuki Reform of 1984
4. The Application of the Civil Service Reform to Local Government (1988)
5. The Presidential Reform of 1991

ACTIVITY 2

QUESTION – (a) *When were local governments first created on a native authority basis*
(b) What has been the changes since then

ANSWER

1. 1976 - 301 local governments
2. 1989 - 449 local governments
3. 1991 - 589 local governments
4. 1996 - 774 local governments

4.0 CONCLUSION

Local governments have gone through difficult phases and reforms in Nigeria. There was the colonial phase which was governed by the colonial ordinance, the decolonization phase when the regime becomes self governing enough to come out with their Native authority Laws, the major changes after the first military take over of 1966 (which introduced a system of development administration and development areas.) The 1976 Reform which introduced modern local governments in Nigeria, the Revenue Allocation Formula in 1981 and subsequent reviews, the extension of the civil service reforms into local governments, the Presidential reforms in local government, the various transition decrees on local governments (1991 and 1997), and the third tier status of local governments spelt out by the 1979, 89 and 99 constitution.

These are real landmarks that can be used to write the history, structure and development of local government in Nigeria. Major changes in local government administration have been more of the handiwork of the military especially with the local government Reform of 1976. However, the problems of local governments and its third tier status have remained those of proliferation of these entities their financial capabilities the quality of leadership and administration in these councils.

5.0 SUMMARY

We can summarise the unit or paper as follows:

- a) Local governments started as native authorities under colonial rule.
- b) The use to which local government was initially put was “extractive” i.e. law and order institution and collection of taxes and revenues.
- c) Local governments started tasting some democratization when the regions started experiencing some self government between 1950 and 1956 leading to the enactment of various native authority laws in the regions.
- d) The military take over of 1966 effected serious changes in the federal structure as the Federal government abrogated the native authority police and prisons and split the regions into 12 states to reduce the dominance of traditional authority and the sphere of influence of the former regions.
- e) The 1976 Reform brought the idea of third tier and modern local governments. The councils were democratized and local governments were guaranteed funding for the provision of basic service to communities. The 1979 constitution guaranteed the third tier status of local governments for the first time.
- f) Local government could not function as normal councils between 1979-83 because the elected councils were just replaced by caretaker committees which were deprived of funds. Worse still, state governments were interested in proliferating local governments.
- g) The other Reforms of the eighties were invigorating the democratic and administrative capacities of local government.
- h) In 1991, the Presidential system of local government was first introduced into the Nigeria local government system.
- i) Between 1993-1998, local governments operated under decree. Elections were conducted from time to time as test run for transition.

6.0 TUTOR-MARKED ASSIGNMENT

QUESTION

What were the major contributions of the military to local government between 1984-1991

ANSWER - Should include the following:

1. Abolition of all local governments created during the Second Republic
2. Set up sole administrators (for purposeful leadership to arrest the chaos in the which local governments found themselves under the toppled civilian administration of 1983.
3. The Dasuki Committee Report which reformed local governments as follows:
 1. Endorsed main functions of local governments but services should be commensurate with funds
 2. State governments urged to meet their financial obligations to local governments and to stop encroachment of local government revenue source.
4. Direct transfer of statutory allocation to local governments own accounts instead of the State Joint Accounts for governments
5. Abolished the Ministry for Local Government in 1988 in order to enhance autonomy of local governments.
6. Extension of Civil Service Reforms to Local Governments (1988)
7. Pensions of Fund established in all states (for local government)
8. Local government administration restructured into 6 departments
9. Chairman became the effective leader of local governments as power of secretaries were reduced.

7.0 FURTHER READINGS

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UNIT 25

SOME BASIC CONCEPTS OF GOVERNMENT AND THEIR RELEVANCE TO LOCAL GOVERNMENT ADMINISTRATION

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7.0	Further Readings

1.0 INTRODUCTION

This unit rounds up the course. We seize this opportunity to take a look at some concepts of “Government” and their relevance to local government administration. This paper was presented in 1988 to Chairman and Councillor of Local Government Councils as part of a Political Education Workshop organized by the Directorate for Social Mobilization.

IN the paper the author discuss the concepts of democracy, separation of powers, fundamental human rights and the rule of law. Such concepts are very relevant in understanding local government as a tier of government. These are widely accepted concepts in government administration. The understanding and application of such concepts is important for the student of local government administration. More importantly will be the application of these concepts at the local level. You may be reminded that you have come across the concept of separation of power already but further light is thrown on it here. Note also that these four concepts are not just political but legal especially the last three.

2.0 OBJECTIVES

At the end of this unit, you should be able to

1. Define each of these four concepts
2. Identify the principles or feature of each concept
3. Apply these concepts to local governments.

3.1 DEMOCRACY

Democracy is widely accepted to refer to system of government which is representative of all people and interests within state or community, and open because it permits freedom of idea, allows people's choice of leaders and programmes, and encourages criticism and comments.

The term 'democracy' is derived from two Greek words "demos" meaning 'people' and 'Kratia' signifying, 'rule by or of'. Thus it means 'rule of or by the people'. But the term 'rule of the people' conveys very little, because immediately the questions arise: who are the people and how do they rule? In this context we could refer to democracy as popular control, or control by the vast majority of the inhabitants of a country or community.

Perhaps to understand this proposition better we could refer to the famous definition of democracy by the late American President, Abraham Lincoln. He once defined democracy as "government of the people, by the people, for the people". Let us now look at this definition more closely and relate it to its modern usage.

It is of course possible to have government 'of the people', because all governments need the support of the people to give it legitimate status. The whole essence of election for example is that they enable electors to choose their representatives. Yet even when elections are badly and dishonestly conducted, the government that emerges still tends to describe itself as having support of the people. The issue to be noted here is the importance of free and fair elections. People that are freely and fairly elected, are more likely to be supported and trusted by the people than those who rigged themselves into office. The legitimacy of many leadership is dependent among other things on how it gets into power.

Similarly, the idea of "government by the people" seems to be an important proposition in modern times because the 'people' cannot actually 'rule' at least not the about 100 million Nigerian. Hence, the people have to rule by means of their representatives. The idea of government by the people was only possible in small Greek City- States where it was possible for all the citizens to meet together in one place to govern the state. However, it is to some extent still desirable to have similar opportunities.

It is possible for example, for Chair man and Councillors to organize public forums in their various constituencies periodically to discuss issues of common interest with the view to arriving at some consensus on priority areas. This will encourage and promote participatory democracy. It is particularly important now that there are no political parties that could have provided avenues for such direct participation. The forum could also be used as a platform for explaining reasons for certain governmental decisions and appeals for co-operation and support. This would create in the electorate a sense of belonging and give them the opportunity to make some input into the decision-making process.

The gap between the rulers and the ruled must be narrowed in the new dispensation. A situation where one elected, representatives lose touch with electorates, just to surface when looking for re-election should not be allowed in our search for a new political culture. The culture of apathy and cynism should also not be allowed to be permanent feature of our political culture.

Furthermore, the idea of 'government of the people' is government in the best interest of the people. This brings us to the question of public accountability. One of the major problems of our past leadership has been the question of probity and accountability. Often times, people elected quickly abandoned their campaign promises and instead begin to promote individual or sectional interests to the detriment of the overall development of the area they are representing. Some of them saw public offices as an instrument for personal enrichment and political or sectional patronage.

It must be appreciated that leadership is a public trust and must therefore be treated and respected as such. Leadership must lead by example and public interest rather than personal or sectional interest must always guide their decision and actions.

Your election should be seen as a call to serve and not to rule. You must all endeavour to have constant touch with your electorates to acquaint yourselves with their problems, aspirations and interests and to pursue same as you seek to serve them.

To sum up Lincoln's definition of democracy therefore, we could say the government of the people really means government on behalf of the people, while government by the people really means representative government, and government for the people suggests that government should be carried on by persons of high principles.

ACTIVITY 1

QUESTION

Identify 3 features of democracy.

ANSWER

1. Elections - People vote into office those to represent their interest.
2. Constant dialogue between the rulers and the ruled (Feedback).
3. Accountability - Political office as public trust – not to be abused

Leaders should deliver their own promises to the electorate or stand the risk of being voted out.

SEPARATION OF POWERS

Simply stated, separation of powers means that different kinds of governmental power are allocated to different organs or branches of government. It means in effect the all the powers of government will not be concentrated in one person, or one group of persons, or one office, or one department. Rather kinds of governmental powers will be held and exercised by different people in different branches of government.

Thus separation of powers means the allocation of legislative, executive and judicial powers respectively, to three different branches of government. The essence of the doctrine is that, as a general rule, each branches of government is prohibited from exercising the powers of the other branches. This however, not an absolute rule. Separation of powers does not confine the different branches exclusively to the power formally assigned by the constitution in all circumstances. They at times perform roles outside their traditional jurisdiction. Similarly, the doctrine does not preclude some control by one branches over the others.

The primary function of separation of powers is the prevention of tyranny and protection of individual liberty. It does this by avoiding the concentration of too much power in the hands of a few, and by enabling checks or limits to places on the powers of government. The assumption here is that if those who make the laws are also vested with the power of executing them, They could and probably would, manipulate their powers to advance personal; interests and exempt themselves from the laws.

For the purpose of this discussion, we shall concentrate on Local Government Administration. Here there is separation of powers and some fusion as well.

The chairman and his Supervisory Councillors, Secretary, Heads of Departments and other administrative and professional staff constitute the executive arm of the local government administration. They are responsible for implementing council decisions as well as for the day to day running of the local government activities. They can in addition initiate policies and programmes for council consideration and approval.

On the other hand, the chairman and the supervisory councillor together with the remaining councillors constitute the council (the legislative arm). The chairman and the supervisory councillors therefore perform both executive and legislative roles. The council is responsible for the formulation of policies as well as ensuring the power execution of such policies including approval of all expenditures. Although the secretaries are now the accounting officers of the councils, contrary to previous practice where the chairman, it is hoped that such secretaries should not create unnecessary bottlenecks for the councils. Such a practice will no doubt handicap the speedy and smooth execution of council decisions. It must be appreciated that once decisions are reached by councils, they become binding and must therefore be implemented by those concerned.

It is therefore clear from the above discussion that separation of powers is not absolute in the local government system as operated currently. The chairman has power to appoint his supervisory councillors who are to be the political heads of the specialized departments of the local government and therefore change them all at will. However, for peaceful co-existence, the Chairman should not abuse his power because doing so could jeopardize the relationship between him and the council.

Similarly, although the council has the ultimate power of decision-making and the approval of budget and other sensitive policies. It must be borne in mind that public rather than selfish or sectional interests should always guide their decisions. Unnecessary antagonism to executive requirements and proposals will not be in the interest of the local government. It must be pointed out here that although the councillors were elected to represent various areas and interests, they should not allow sectional interests, to ride the overall interest of the local government.

At the end of the day, the success or otherwise of the local government would depend on the type of policies formulated by the council and the manner in which they were implemented by the executive arms of government. You must therefore work as a team irrespective of your various backgrounds, constituencies and interests. Your policies, decisions, and actions must be seen by your electorate to be fair, equitable and just. You should not spend,

but also generate revenue for sustained growth and development of your local governments.

3.3 THE RULE OF LAW

The rule of Law recognizes that man as a human being entitled to request, rights and freedom which are his fundamental rights. It infers that rules and their officials should not possess power which are unlimited and uncontrolled. Similarly, it acknowledges the supremacy of the ordinary court.

The Rule of Law entails three basic principles which we should understand and uphold we prepare to serve our communities. First, the Rule of Law entails absolute supremacy of the law. This means that holders of positions of authority should use it in accordance with the laws of the country. There should be no arbitrary or discretionary powers. Fair play should always be the guiding principle. We should therefore not abuse the powers vested in us. We should treat everybody equally and not use double standards for judgment or action. Always be guided by rules and regulations of your establishment.

Secondly, Rule of Law implies equality before the law. In essence, all men irrespective of positions held are subjected to the ordinary law of the state and there should be no preferential treatment. Laws made by the council are equally binding on the councillors and everybody else in the local government.

Thirdly, the Rule of Law implies the guarantee of fundamental rights of the individuals. These rights are inherent that can only be curtailed by law. The point of emphasis here is that as leaders you must respect the dignity of people and give honour to whom honour is due and don't abuse your powers by encroaching on the rights of other less privileged people. Remember, the electorates elected you to serve and represent them and not to treat them as second class citizens.

Social justice has no meaning in a situation where some of people break the law with impunity and go free while others are maltreated at the slightest breach of the law. Justice demands that everybody should be treated equally without fear or favour. The law enforcement agencies must therefore be up and doing so that people can maintain confidence in them. As leaders, you must avoid creating a situation as if you are above the law.

3.4 FUNDAMENTAL HUMAN RIGHTS

The need to incorporate some of ‘Bill of Rights’ in the Constitution of countries all over the world had arisen primarily as a result of competing claims between the individual and the state. If on the one hand, individuals are allowed absolute freedom of speech and action there would be chaos and anarchy (lawlessness). On the other hand, if the state is allowed to exercise absolute powers, the result would be tyranny (reign of terror). The problem thus becomes one of how to adjust these competing claims in the interest of peace, order and government in the state and political, social and economic advancement of the people of the state.

The types of rights enjoyed by the citizen vary considerably from one state to another. These rights could however, be classified as follow.

1. **POLITICAL RIGHTS:-** These are rights which entitle the adult citizen to vote and qualify for direct participation in the political process of the country. Every adult citizen has thus the right to vote and be voted for. Such a broad franchise is aimed at limiting the influence of privilege and to enlarge the opportunities of holding offices available in the state.
2. **CIVIL RIGHTS:-** These are rights and privilege which protect the individual against interference in the private sphere of life. These include right to life, freedom of the person, freedom of religion, freedom of expression and press and freedom of peaceful assembly and association. As leaders you must seek to uphold and protect these rights of the individual. You should also give room for constructive criticism and make amends where necessary.
- 3 **SOCIAL RIGHTS:-** These refer to those benefits and privileges which individual receive for consenting to be governed. The three most important social rights are right to education, employment and property. The first two are highly important and relevant to local governments. In the past, primary education suffered a great deal. As the foundation of education, the welfare of primary school teachers, class room facilities and structures should be given the desired priority by all local governments. Unemployment has also become a major problem in the country. Effort should therefore be made by local government, to promote employment generation programme to give opportunities to the teeming unemployed youth in our midst. By so doing, the right to property would also be upheld. The major people are gainfully employed, the better their chances of owning property. The direct labour system adopted by the state government and most local government should be maintained and encouraged. In this way, the financial benefit accruing from such projects will be more equitably distributed.

ACTIVITY 2

QUESTION – *what are the three rights identified in the paper?*
Define each of them

ANSWER

They are – Political Rights

1. Civil Rights
2. Social Rights

Political Rights - Right to vote and to be voted for. This is another description of franchise.

Civil Rights - These are the basic individual rights of life, religion, conscience, property, peaceful assembly etc.

Social Rights - Rights or privileges enjoyed by individuals they consent to be overmanned. Three most important ones are right to education, employment and property.

4.0 CONCLUSION

The central theme in all the four concepts discussed is the protection of the rights of the individual against the likely excesses of the state or powerful individuals. It emphasizes particularly democracy at the grassroots level. As elected representatives of the people, it becomes apparent that their interests should be the important factor in your decision, policies and action. You were elected to serve them and so you should have constant touch with the people and give them every encouragement to feel as being part of the government. By so doing, you would assist in creating a solid foundation for participatory democracy at the grassroots level. With all hand on deck we shall together succeed in creating a conducive atmosphere for economic productivity, social integration, stability and a sound foundation for the the republic.

5.0 SUMMARY

You must agree with me that this paper has been exciting. We summarise it as follows.

- Four concepts: democracy, separation of powers, fundamental human rights and rule of law have been treated in this paper.
- Democracy was defined from the point of view of Abraham Lincoln as government of the people, by the people and for the people. Leadership therefore is a public trust and part of democracy demands accountability.
- Separation of power deals with allocation of power among the three arms of government. This takes place at local government where power is shared largely between the Executive and Legislative arm only
- Rule of Law talks about check on the power of leaders and the fact that both the rulers and citizens must recognize and respect other's rights. Everybody therefore is subjected to the laws of a country. So also at the local government level.
- Fundamental human rights refers to protection by government. These rights could be political, civil and social. If well guaranteed and protected it will reduce lawlessness and tyranny.

TUTOR-MARKED ASSIGNMENT

QUESTION

What is the rule of law? Discuss the major features with example from local government.

ANSWER

The answer should mention and discuss the following:

- Meaning of rule of law – Address issues of aspect, right and freedom (fundamental human rights of the individual). The enforcement of which is by government and the interpretation by the judiciary.
- Rule of Law as both a legal and political concept.

Principles:

1. Absolute supremacy of law (Frowns at arbitrary use of power)
2. Equality before the Law
3. Guarantee and enforcement of fundamental human rights of individuals.

As you discuss the above, relate it to the local government level. Concluding, related rule of Law to social and economic justice. Also the fact

that at the local level there is need for plenty of political education for the ignorant masses to understand and take advantage of this concept.

7.0 FURTHER READINGS

D. H. Hill, Democratic Theory and Local Government (Great Britain: Allen & Unwin, 1974)

V. Ayeni K., Soremekun (eds) Nigeria's Second Republic (Daily Time Publications 1988). See especially Cha II and XI