

THE IMPACT OF INTERGOVERNMENTAL RELATIONS ON LOCAL GOVERNMENT ADMINISTRATION IN NIGERIA

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ABSTRACT

Nigeria is a federation with three tiers of governments; the Federal Government, State Government and the Local Government. The powers of these tiers of governments are derived from the Constitution of Nigeria. The Local Governments in Nigeria are established to bring administration nearer to the people at the grassroots level as well as provide them with the opportunity to participate in the political process of the country. However, these functions cannot be achieved in the absence of the practice of inter-governmental relations, which help to enhance interdependency, consultation, mutuality and harmony amongst the tiers of government in Nigeria. This study adopted content analysis to examine the impact of inter-governmental relations on local government administration in Nigeria. After a thorough examination, the study ineluctably identified that a federation like Nigeria, needs inter-governmental relations to help maintain a cordial relationship among the levels/tiers of government. In addition, the local government in Nigeria being the government at the grassroots level, will only be able to discharge its responsibilities only if there is a sound practice of inter-governmental relations, which will provide wide arena for cooperation and opportunity for expending joint actions. To this end, the study strongly concludes inter alia, that the central positions that inter-governmental relations occupy in any federal system of government cannot be relegated to the background. Its practice is continuous and this continuity is to the benefit of the local government whose sources of autonomy have somehow been tempered with by the 1999 Constitution.

Keywords: Inter-Governmental Relations, Federalism, Local Government, Power Devolution, Administration.

INTRODUCTION

Inter-governmental relations have become very crucial in the administration of countries all over the world, more importantly in states with federal system of government. In Nigeria for instance, the concepts has become so important in the operation of the Nigerian state that this concept has made it to be institutionalized in the government operation. The objectives of government in any country that practices the federal system of government cannot be met easily without a relationship among other various levels of government. According to Toluhi (2011), inter-governmental relations are more of an issue in Federal systems. Thus, intergovernmental relations offers, more opportunity, and permits the three tiers of government (The Federal, State and Local Governments) to complement the efforts of one another in the running of the affairs of the country.

In any federal system of government, there is the constitutional division of powers and authorities between the levels of governments. Such powers are divided into the exclusive, concurrent and the residual lists. These divisions forbid any level of government from usurping the power of the other, yet provide wide arena for cooperation and opportunity for expanding joint actions. It therefore, follows that maintenance of effective inter-governmental relations and cooperation is of importance for the functioning of the federal system of government.

In any system of government where there is intergovernmental relations, the goal is to promote peace and harmony among the tiers of government as well as to accelerate a self-reliant economy and minimize intergovernmental conflict among the various levels of government. In addition, intergovernmental relations help to boost socio-economic integration through the activities of the

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levels of government. This relationship enhances the emergence of cooperation rather than competitive federation. Moreover, inter-governmental relations help to accelerate effective and efficient utilization of human and material resources among the three levels of government. This helps to reduce the problems and challenges of rural-urban migrations together with rural poverty.

Inter-governmental relations according to Sani (2013), can be vertical or horizontal. In a vertical relation, it takes the form of the relationship between the central and state, and between the state and the local governments. Horizontally, inter-governmental relations take place when governments at the same levels in the political structure interact. This takes the form of inter-state relationship or inter-local government relationship.

In all intergovernmental relationships, there is the recognition of the local government as the third tier of government. This recognition should be able to grant the local government relative autonomy and some level of jurisdictional powers, which must be recognized by the constitution. This study therefore attempts to examine the impact of intergovernmental relations on the local government administration in Nigeria.

Conceptual Framework

The concept of intergovernmental relations has come to occupy an important position in the analysis of the operation of political system all over the world in recent times. This importance has made the concept to enjoy widespread interest among scholars of Political Science and Public Administration alike. The concept according to Henri (2004), is the series of financial, legal, political and administrative relationships established among all units of government that possess varying degrees of authority and jurisdictional autonomy. Anderson (1960), opines that intergovernmental relations is a term intended to designate an important body of activities or interactions occurring between government units of all types and levels within the federal system. Contributing to the definition of the concept, Ademolekun (1983), sees intergovernmental relations as the interaction that takes place among the different levels of government within a country. Explicitly, Okoli & Onah (2010), write that:

Inter-government relations is seen as negotiation in which the parties are negotiating advantageous positions for Power Money and problem - solving responsibility. In virtually every major public policy issue, the elements of power, money and responsibility are on the bargaining table.

Adding his voice to the discussion, Aina (2012), defines intergovernmental relations as a complete web of interrelationships that exist among public officials in different levels of governmental activities in a political system. Also Olugbemi (1980), in Okoli & Onah (2010), sees intergovernmental relations as a system of transactions among structured levels of government in a state.

From the above therefore, the concept of intergovernmental relations is more or less concerned with interaction and unity of purpose among various autonomous and independent bodies. It is a circle of interdependence and transaction between federating units in a federal system of government. This position is in tandem with Wheare's (1953), theoretical model of federalism, which argues that each units of government within such a structure should operate independently within statutorily or constitutionally defined spheres of competence. The model argues that although, the different units within such a structure are relatively independent yet, they operate within a single national sovereign structure (being themselves intra-sovereign units). They are coordinated with one another.

In essence therefore, intergovernmental relations can be seen as the relationship between all levels of governments within a political system. In Nigeria, intergovernmental relations has assumed an important dimension in the recent times, due largely, to the concern currently given to the importance of cooperative federalism as well as the fading away of dual federalism (Okoli & Onah 2002). Moreover, Achor (2010), notes that intergovernmental relations are a web which spell out all relations in a federal system as well as the division of duties and responsibilities among the levels of government.

Accordingly, Bello Iman in Okoli & Onah (2010) observes three popular models of Inter-governmental relations which include: Partnership, Principal/Agent and the Dual Models. In the

partnership model, the three or two levels of governments are regarded as equal before the law. The constitution and parliament usually delineate and regulate the activities of all the levels of government. As such, both the powers and responsibilities of the various tiers of government could be added to and subtracted from, overtime. It is because of the co-equal assumption of the model, local governments usually command, considerable financial autonomy as they are given powers to tax their citizens and the discretion of the nature, form and level of services they wish to provide. In the partnership model, there is an in-built cooperation and understanding among the various levels of government such that another tier on its behalf can perform the functions of one tier of government. In the Principal/Agent Model, a hierarchical view of the relationship between the central and local government is presented. This contrasts sharply with partnership model. Under the Principal/Agent Model, the local government is seen as a means for locally administering centrally determined services. In real term, the level of government under this model cannot be regarded as government but as a form of local administration. The functional Dualism is the model of inter-governmental relations in which the various levels of government within a nation-state have functional competence in certain critical services as measured in their technical competence. In this, the model functional autonomy is usually emphasized. A good example of this is where the various levels/tiers of governments have concurrent responsibility in the discharge or provision of health, educational and agricultural services.

The more vital point to note about intergovernmental relations is that, it is an array of mechanisms of checks and balances put in place to avoid the crisis of confidence in the process of governance. Inherent in this is, the fact that it attempt to eliminate the use of force, confrontation or coercion in the relationships among the various tiers of governments in a federal arrangement. Thus, from the forgoing, intergovernmental relations can be defined as the whole arrays of procedures and system of enhancing interdependency, consultation and mutuality among the various levels of government in any political system. According to Ayoade (2010) in Okoli & Onah (2010), the pattern of relationship in intergovernmental relations is as follows:

- Federal – State, Federal – Local, Federal – Civic Groups,
- State – State, State, State – Local, State – Civic Groups,
- Local – Local, Local – Civic Groups, and
- Inter Civic Groups.

The Concept of Local Government

The concept of local government throughout the world appears quite dynamic and fragile like other concepts in the social sciences. There is no agreement among scholars as to the precise meaning of local government. As a concept and one of the subordinate units in federal political system arrangement, it has attracted some definitions from various scholars. However, Okolie (2000), defines local government as an organization with a resident population occupying a defined area that has an authorized organization and government body; a separated legal entity, the power to provide certain public or governmental services and a substantial degree of autonomy including legal or actual power to raise part of its own revenue. Okila (2002), defines local government as government at the local level exercised through democratically elected representative councils, which while subject to the general control of the central government, is given autonomy and specific powers within defined area which they can exercise without control by the higher authority. Akpan (1984), defines local government as the breaking down of the country into smaller units or localities for the purpose of administration in which the inhabitants of the different units or localities concerned play a direct and full part through their elected representatives who exercise positions, and undertake functions under the general authority of the state or national government.

According to Nnoli (1980), local government is a system of government at the local level which is exercised through locally elected representative councils enjoying substantial autonomy in the exercise of specific powers over a given locality in the performance of a range of functions and responsibilities allotted to it by law. To Ofoegbu (1984), the term local government is a political authority set up by a nation or a state as a subordinate authority for the purpose of dispensing or decentralizing political power.

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Oyediran (1988), views local government as a government in which popular participation both in the choice of decision makers and decision making process, are conducted by local bodies, which while recognizing the supremacy of the central government responsible for its actions, is able and willing to accept responsibility for its decisions. However, the United Nations Office for Public Administration (1988), defines local government as a political sub-division of a nation (or in a federal system, or a state), which is constituted by law and has substantial control of local affairs including the powers to impose or exact labour for prescribed purposes. The government body of such an entity is elected or otherwise locally selected. The 1976 guidelines to local government reforms in Nigeria, attempted to give more operational definition of local government as it should apply in Nigeria. It defines local government as “government at the local level exercised through representative council established by law to exercise specific powers within defined areas”. These powers should give the council substantial control over local affairs as well as the staff, institutional and financial powers to initiate and direct the provision of services. They determine and implement projects so as to complement the activities of the state and federal governments in their areas. They further ensure, through devolution of these functions to these councils and through the active participation of the people and their traditional institutions, that local initiative and responses to local needs and conditions are maximized. The concept of local government cannot be exhaustively defined. However, from the above explanations, it can be summarized to mean a kind of administration which brings government close to the people at the grassroots levels.

Local Government Reforms of 1976

The intention of the General Murtala Muhammed/General Olusegun Obasanjo military regime, which embarked on local government reforms in 1976, was to make local government a third tier of government in Nigeria. Basically, it is to stabilize and rationalize government at the local level as well as to make local government more effective and efficient at the grassroots levels. The regime’s reform remained the most radical

transformation of the local government system in Nigeria.

1976 Local Government Reform in Nigeria and its Imperative

1. The introduction of a uniform system of local government throughout the country in terms of functions, structure and financing.
2. All the local governments were made the third tier government after the Federal and State Governments.
3. As a third tier of government, the local governments were to get statutory grants from the federal and state government.
4. Local governments were assigned more responsibilities as agencies for the promotion of development at the local levels.
5. Local governments were made single-tier system instead of multiple systems.
6. In order to insulate local government from partisan politics, local government councilors were to be elected on individual merits instead of on party tickets.
7. The chairman and supervisory councilors were made full time employees of local government.
8. Traditional rulers were not given significant roles but to provide essentially, an advisory role.
9. The guidelines set out the criteria for the creation of new local government of which, an area to be created as a local government, must have a population that will range between 100,000 to 800,000.
10. Greater measures of independence were granted to the local governments in order to enable them carryout their functions effectively.

Needs for the Establishment of Local Unit of Administration

Basically, in any system, local governments are created to decongest the function and burden of central government and to provide services that are local in character. The needs for local government may be stated specifically as follows:

1. It is more democratic. This refers to the fact that it increases the scope for citizenship participation in the government of their locality.

2. It provides valuable political education. This type of education exposes citizens to power and authority, its acquisition, its use and its risk.
3. It trains people for higher public office. Thus, local government becomes a platform or a springboard for acquiring experiences for higher career in government.
4. Local knowledge is brought to bear on the decision by local government.
5. It is more sensitive to local opinion. Councilors and representatives are closer to the people and respond much easily to their demands.
6. Local initiative can easily be identified and taken on board, especially, in mobilizing community to gain local support for projects.
7. Power is more widely dispersed, which is a safeguard against tyranny. The local government system protects citizens against this.
8. Local variations and needs in the service provision can better be handled by local government since it understands the needs of its own locality.

Local Government Administration and Its True Perspectives

Oyediran (1988), underlines the need to distinguish between local government and local administration. In his view, local administration is the administration of local communities, essentially, by means of local agents appointed to be responsible to the central government be that, state, regional or national. This denotes a local body where the criterion of local personality and substantial autonomy for the government at the grassroots is patently absent. In local administration, the central government directly appoints and controls both the staff and finances of the local body. In this system, there is neither the election of councilors in the true sense of elections or a genuine devolution of powers and functions to the local body. The administration at the local level exercises its functions at the will of the central/state government to which, it acts as an agent for translating policies and programmes. However, local government in its true perspective has a legal personality with sufficient but limited powers of control or its staff, finances and functions which

devolve upon it by the central government. Local government administration properly conceived, is clearly distinguished from any other instrument of local administration by the essential elements of popular participation and election or selection by the local constituents.

Local government is the lower level of government in a modern state, which is legally distinct and has powers to raise revenue and undertake assigned responsibilities under a leadership that is elected and answerable to the local populace. It can also be stated that, local government exercises power that is decentralized in the form of devolution.

Functions of Local Government

The fourth schedule of the 1999 constitution which dwells on the functions of local government council, states inter-alia: the functions of local government should lie in the consideration and the making of recommendations to the state commission on economic planning or any similar body. Similarly, that it involves in the economic development of the state, in so far as the areas of authority of the council and of the state are affected together with the proposal made by the said commission or body. Furthermore, it collects rates, radio and television licenses and engages in the establishment and maintenance of cemeteries, burial grounds and homes for the destitute or firms.

The licensing of bicycles, trucks (other than mechanically propelled trucks), canoes, wheel barrows and carts are among important many functions. Much construction and maintenance of roads, streets drains and other public highways, parks, open spaces or such public facilities as may be prescribed from time to time by the House of Assembly of State, are its oversight functions.

Functionally, roads and streets are numbered including houses for proper identification. The provision and maintenance of public conveniences and refuse disposals have been undertaken by local government. In addition, they engage in the registration of all births, death and marriages for future record purposes.

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.

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This invariably assists in the financial resource of local government.

Lastly, it undertakes the control and regulation of out-door advertising and hoardings including shop and kiosks. It also regulates the movement and keeping of pets and other domestic animals. In addition to this last, is that, it builds restaurants, other places for food to the public and laundries.

Problems of Local Government in Nigeria

According to Okoli and Eze (2006), the followings are the problems of Local Government in Nigeria: Firstly, there is the problem of inadequate finance that will make local governments to better the lots of the grassroots people by providing them with social goods or infrastructure such as roads, hospitals, markets, pipe borne water etc. Secondly, election irregularities have characterized local government in Nigeria as the ruling party at the state level, would want to win the local government election at all cost. In addition to the above, are corruption, nepotism and favouritism which have been a major problem confronting local government in Nigeria. These have resulted in a situation where selfish interest supersedes the interest of the public. Related to this social anomaly are embezzlement, squander-mania and profligacy which have bedeviled the development of local government.

It should be noted that the disbursement of local government allocation through the state government has posed problems to local government. This leads to lack of financial autonomy which will enable them to perform their functions effectively and efficiently. A situation where some persons are appointed to man the affairs of the local government without the mandate of the people, is another problem confronting local government in Nigeria.

Inter-governmental Relations and Local Government Administration in Nigeria

Nigeria with an estimated population of over 180 million, and covers an area of 923,763 square kilometers, is the most populous country in Africa. The country is located in West Africa and has boundaries with the Republic of Niger to the

North, Chad to the North-East, Cameroon to the South-East, Benin to the South West and the Gulf of Guinea to the South. The country gained her independence in 1960 from Britain. The country experimented with the parliamentary system of government between 1960 and 1966, the presidential system between 1979 and 1983 and then from 1999 to date. The country's history of administration cannot be written without the military occupying a larger portion of it. Owing largely to military interventions in the Nigerian politics, which has been consistent from 1966 when they first took over and 1999 when they last handed over. The country operates a federal system of government with a written constitution, a presidential system of government and a federation of 36 states with a federal capital territory. The country has a total of 774 constitutionally recognized local governments. Although, the country's local governments are recognized by the constitution, their autonomy is not practically accorded to them. This is due largely, that the 1999 constitution of Nigeria rightly submerged them under the control of the state government. As a matter of fact, this is contrapuntal to the reform of local governments of 1976 which tries to accord them this status.

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This notwithstanding, the local government in Nigeria has enjoyed the benefits of intergovernmental relations since 1999 when the present republic came on board. Thus, intergovernmental relations have impacted on the local government administration in Nigeria. These impacts can be analyzed as follows:

Inter-government Financial Relations

The practice of intergovernmental relations embraces financial relationship amongst the levels of government. Olalokun (1980), writes that financial transactions are important areas where the various levels of government must come to agreement of development if it is to be enhanced. This is in tandem with section 149 (1) or 162 (1) of the 1979 and 1999 constitution respectively, which stipulates the maintenance of special account to be called the "Federation Account" into which shall be paid all revenues collected by the government of the

federation. This arrangement also provides the division of the money between the Federal, State and Local Government. Intergovernmental relations have had a serious impact on local government administration through revenue sharing and allocation. Since 1945, revenue allocation has continued to dominate the practice of its Internally Generated Revenue (IGR). The local government through its powers as per the constitution, is entitled to a share of the revenue generated into the federation account. This resource allocation is made possible based on the provision of the Constitution of Nigeria. The position tallies with the position of Uronye (2012), when he opines that one of the greatest impacts of intergovernmental relations on the administration of local government since 1999 is the opportunity to access federally generated revenue alongside the federal and the state governments.

Administrative Relations

These are the mechanisms put in place in Nigeria to help sustain intergovernmental relations. These include the National Economic Council, the Council of State, Revenue Mobilization Allocation and Fiscal Commission, the Federal Executive Council, the Federal Character Commission and the Liaison Offices, Local Government Service Commission and Public Complaint Commission among others.

This process has actually impacted on the administration of Local Government in Nigeria. The result is that, this has helped to reduce inter-level conflict. It has also been made possible through the series of conferences organized for leaders and officials of the various levels of government. Virtually, every aspects of government activities have been covered by Federal-State or inter-states' conferences or a combination of the two. A good example of inter-local conference is the annual conference of Chairmen of Local Government of Nigeria.

Functional Relationship

This type of relationship takes place when the Local Government and the State or the Federal coordinates to provide certain functions. For instance, the Constitution of Nigeria of 1979 provides for both the executive and the concurrent functions for the Local Government. The

concurrent functions include that of primary education, health and agricultural extension services together with the industrial and commercial services. In these concurrent functions, the Local Government provides them in conjunction with the state and Federal Governments. Most times, the Federal or State or both, provide the financial resources while the local government provides the personnel and other resources. The impact of this on the administration of Local Government in Nigeria is that, it has helped to provide the Local Government with the opportunity of essential services to the people at the Local Government level. Moreover, the federal and state governments through this process has helped in providing community development programmes, which have impacted on the Local Government administration in Nigeria.

In addition, intergovernmental relations also impact on the local administration in the areas of legislative jurisdiction. This can be seen through the bye-laws made by the Local Government. The federal and state high courts are established to adjudicate on matters arising from both the state and Local Governments. Local Government uses state courts to prosecute defaulters of their bye-laws. This means that the Local Government, in a way, benefits from this relationship.

CONCLUSION

From the foregoing, intergovernmental relations can be said to be a system of transactions among structured levels of governments in a state. It is a negotiation in which parties struggle to gain advantageous position for power, money and problem solving responsibility in virtually every major public policy issues. Despite this fact, Wheare (1953), opines that each unit of government within such a structure should operate independently within the statutorily or constitutionally defined spheres of competence. The central positions that the intergovernmental relations occupy and the benefits of it on the administrative process, cannot be relegated to the background. Intergovernmental relation is a dynamic process and it is continuous since it is not a time occasioned occurrence formally ratified in agreement or rigidly fixed by statutes or court decisions.

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In Nigeria, the practice of intergovernmental relations is a continuous one. This continuity is to the benefit of the Local Government whose sources of autonomy have somehow been tempered with by the 1999 Constitution.

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